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Wednesday, August 30, 1961
Bhadra 8, 1883 (Saka)

LOK SABHA DEBATES

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LOK SABHA SECRETARIAT
NEW DELHI

No. 18.—*Wednesday, August* 30, 1961 /*Bhadra* 8, 1883 (Saka)-

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LOK SABHA

Wednesday, August 30, 1961/ Bhadra 8, 1883 (Saka).

The Lok Sabha at Eleven of the Clock

[Mr. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

Prohibition

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*1045. **Maharajkumar Vijaya Ananda:**
Shri P. G. Deb:
Shri S. A. Mehdi:
Shri Jhulan Sinha:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether any decision has been taken about vigorous pursuit of prohibition in the Third Five Year Plan; and

(b) if so, the details of the same?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The programme of Prohibition for the Third Five Year Plan period is contained in Chapter XXXV of the Third Five Year Plan, a copy of which has already been laid on the Table of the House. A meeting of the Central Prohibition Committee is being held on 4th and 5th September, 1961 to discuss the details of this programme.

Maharajkumar Vijaya Ananda: May I know whether the foreign tourists will be given permits, as otherwise they will be put to great inconvenience as a result of prohibition?

Shri Datar: That is a question of detail which will be discussed as to how, what has been stated in the Five Year Plan, will be implemented.

Maharajkumar Vijaya Ananda: May I know to what extent the Centre and the State would be losing on account of prohibition?

Shri Datar: All these questions will be discussed in the meeting of the Central Prohibition Committee.

डा० गोविन्द दास : क्या यह बात सही है कि योजना में जो शराबबन्दी का प्रश्न रखा गया है, वह सब राज्यों में एक सा नहीं है ? क्या केन्द्र इस सम्बन्ध में विचार कर रहा है कि हर राज्य में और विशेष कर मध्य प्रदेश में, जहां मालूम होता है कि तृतीय पंचवर्षीय योजना में मद्य-निषेध का कोई काम नहीं होगा, मद्य-निषेध का काम चलाया जाये ?

Shri Datar: This position has been made clear in the third Five Year Plan. It has been stated there that it may not be practicable to fix a particular date for total prohibition in all the States on account of certain difficulties therein, but still the objective is to reach that target as early as possible.

डा० गोविन्द दास : मैं तो यह जानना चाहता हूं कि क्या यह सही नहीं है कि मध्य प्रदेश में तृतीय पंचवर्षीय योजना में शराबबन्दी के काम को करीब करीब छोड़ दिया गया है और क्या इस सम्बन्ध में केन्द्र मध्य प्रदेश को कोई हिदायतें देने वाला है ?

Shri Datar: We shall consider this question in consultation with the representative of the Madhya Pradesh Government in the forthcoming conference.

Shri Tyagi: Along with this prohibition, is any provision being made for widespread educational progaganda in favour of temperance?

Shri Datar: Yes, Sir; the emphasis is laid on such propaganda.

श्री रघुनाथ सिंह : मैं यह जानना चाहता हूं कि जहां पर शराबबन्दी की योजना इस वक्त लागू की गई है, क्या वहां वह सफल है और क्या यह ठीक नहीं है कि जहां पर यह योजना लागू है, वहां गैर-कानूनी तौर पर शराब की बिक्री बहुत ज्यादा होने लगी है।

Mr. Speaker: Order, order. I am not going to allow questions which go to the root of the matter whether prohibition ought to be adopted or not. These are matters of policy. Hon. Members may have difference of opinion, but they ought not try to change the policy during Question Hour.

Shri Harish Chandra Mathur: May I know what lead the Central Government is going to give in this matter, particularly in the Centrally administered areas?

Shri Datar: This is a question which has to be considered at the all-India level. The Central Government and the State Governments should put their heads together to see that everything possible is done not only in the States, but in the Union Territories as well.

सेठ अचल सिंह : क्या मन्त्री महोदय यह बताने की कृपा करेंगे कि क्या भारत की हर एक स्टेट में प्राहिबिशन के सम्बन्ध में कोई यूनिफार्म पालिसी अपनाने का प्राविज़न किया गया है ?

Mr. Speaker: I have appointed one of the members of the staff to translate.

Shri Datar: The difficulty is, he speaks in a rather low tone.

Seth Achal Singh: May I know whether a uniform policy has been adopted by the Government in all the States regarding prohibition?

Shri Datar: It is difficult to follow a policy of uniformity in regard to all the States.

Mr. Speaker: He has spoken in English; it is not necessary to translate. There is a provision made here. In all cases where it is not possible for hon. Members to understand, I will ask the translator to translate.

Pandit J. P. Jyotishi: May I know whether the Government is inclined to appoint any Commission to enquire into the question whether the policy has been successful in the prohibited areas and to find out ways and means to implement the policy in the rest of the country?

Shri Datar: It is not necessary to appoint a Commission. In 1954, the committee was appointed by the Planning Commission and they have given full details.

Shri Surendranath Dwivedy: I want to know whether it is a part of the central prohibition policy to supply liquor through Government liquor shops, as is proposed to be done in Orissa?

Shri Datar: The question is highly insinuating; I take the strongest objection to the manner in which the question has been put. It can never be the policy of the Government to supply drinks.

Shri Surendranath Dwivedy: The Government of Orissa have said that they are going to open Government liquor shops and supply liquor. I do not know whether that is part of the Government's policy.

Shri Tyagi: Liquor is in public sector.

Mr. Speaker: Some hon. Members would not be able to appreciate. We started it 35 years ago, along with the Congress. It was not started yesterday or today. There may be differences of opinion, but insinuations ought not to be made.

Shri Surendranath Dwivedy: There is no question of insinuation.

Mr. Speaker: There are certain matters with which the dreedom movement started. Some people are wedded to this as some are wedded to *khadar*. This is an article of faith with some of them. When they started the freedom movement, when the vista was bleak, there were so many difficulties and they know it. Therefore, no hon. Member will try to pooh-pooh this idea, though they may have different ideas. For some who took part in the freedom movement this is an article of faith. With respect to those, who might have not taken part in the freedom movement, this may not be an article of faith. Even in the case of some who have taken part in the freedom movement, this may not be an article of faith with them. But let no insinuations be made. If they want to change the policy—it cannot be done in the Question Hour—let it it be put in decent language without insinuations.

Shri Surendranath Dwivedy: There is no insinuation in this matter. If that impression is created, I withdraw, it. But it is a fact that the Governor of Orissa said in his address to the Assembly that the Government is going to have liquor shops for the supply of liquor. I do not know whether that is a part of Government's policy.

Mr. Speaker: The hon. Member did not say that. It created an impression in my mind, as in the mind of Shri Datar, that Orissa Government is already supplying liquor. It is not as if the Governor said they will do so. We were under the impression that the Orissa Government was already supplying liquor.

Shri Surendranath Dwivedy: I said that it was proposed to be done. That was my question. It can be seen from the records.

Mr. Speaker: Very well. We did not understand it that way.

Shri Surendranath Dwivedy: Let the hon. Minister tell us now. I am asking this by way of eliciting information.

Mr. Speaker: No, no. If somebody puts the question: "When did you leave beating your mother", and the answer is "yes" or "no", then it means the man concerned had been beating his mother. This is what is called a leading question. First of all, the hon. Member must put the question: "Is it a fact that the Governor of Orissa has made a statement that the Government of Orissa will hereafter supply liquor"? The hon. Member assumes that and puts the question whether the Government is going to follow that as a rule. It may be true or it may not be true.

Shri Nagi Reddy: It is true because this statement was made in the Orissa Assembly.

Mr. Speaker: Let us ascertain from the hon. Minister.

Shri Surendranath Dwivedy: That is what I am seeking.

Shri Datar: I am not aware of any such statement having been made on the floor of the Orissa Assembly.

The Minister of Home Affairs (Shri Lal Bahadur Shastri): May I just add a word, Sir? We have seen in the newspapers the address given by the Governor, and this matter as pointed out by the hon. Member has

been referred to in that address. But we are yet to get an official report. We would like to know what their scheme is. We are not aware of the details. Therefore, we cannot say anything definitely at present.

Air Violations by Portuguese Aircrafts

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*1046. **Shri Ram Krishan Gupta:**
Shri Chunl Lal:
Shri Vidaya Charan Shukla:
Shri D. C. Sharma:

Will the Minister of **Defence** be pleased to state:

(a) the details of Indian air space violation by Portuguese aircrafts and instances of border violations by the Portuguese since the 1st June, 1961; and

(b) the steps taken or proposed to be taken to check these violations?

The Deputy Minister of Defence (Sardar Majithia): (a) There has been no violation of Indian air space by Portuguese aircraft since 1st June, 1961.

As regards border violation, attention is invited to the reply to Unstarerd Question No. 2166 given in the House by the Prime Minister on 23rd August, 1961.

(b) Government is determined that every necessary step will be taken to prevent violations of our sovereignty and the power of this country to the extent necessary will be used. It will be appreciated that it is not in the interest of national security to disclose details of these efforts.

Shri S. M. Banerjee: May I know whether the attention of the hon. Minister has been drawn to a Press news that there is concentration of more army and arms by Portuguese in Goa and other places; if so, whether there is any truth in this information given by the Press or it is false, and if it is true what steps are being taken by our Government to counteract such moves?

Sardar Majithia: It hardly arises out of this question. The question relates to air violations.

Shri S. M. Banerjee: It does arise. We want to know whether the Press news is correct. It is not only a question of air violations; it may be land violations, it may be anything.

Mr. Speaker: Very well, but let us confine ourselves to air now.

Shri D. C. Sharma: May I know if the number of border violations is diminishing day by day or it remains on the same point as it was before?

Sardar Majithia: As the reply of the Prime Minister shows, there was only one border violation and in that too they came only 200 yards into Indian territory and then ran back.

Indian Team to Congo

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*1048. **Shri Shree Narayan Das:**
Shri Radha Raman:
Shri A. M. Tariq:
Shri Assar:
Shri Muhammed Elias:
Shri P. G. Deb:
Shri Arjun Singh Bhadauria:

Will the Minister of **Defence** be pleased to state:

(a) whether any Government team has visited Congo since Indian army troops were sent there;

(b) whether that team has submitted any report on the functioning of our troops there;

(c) if so, what are the important points suggested in the report; and

(d) the nature of work that our troops have done there so far?

The Deputy Minister of Defence (Sardar Majithia): (a) and (b). Yes, Sir.

(c) The aim of the Mission was to look into the working conditions of our personnel, transport arrangements for return to India and whether the terms of agreement regarding their use were being observed.

Their living conditions are satisfactory, they are in good heart and the standard of their performance is recognised to be very high.

(d) Indian troops are carrying out the duties assigned by United Nations Command in pursuance of the Resolutions passed by the Security Council and the General Assembly of the United Nations and in accordance with the arrangements made between the Government of India and the Secretary-General, United Nations.

Shri Shree Narayan Das: In view of the satisfactory work done by our troops, may I know whether any demand for more troops has been made; if so, to what extent our Government has complied with that request?

Sardar Majithia: That question was answered yesterday in this very House.

Shri Shree Narayan Das: May I know whether indications are available as to the time by which the troops will be repatriated to India in view of the satisfactory improvement in the Congo situation?

Sardar Majithia: That question was answered by me on 9th August, 1961.

Shri Hem Barua: Besides this committee saying that the living conditions of our troops in the Congo are good, may I know whether in the deployment of troops in the Congo the Security Council's resolutions are adequately adhered to or not. I want to know whether the Mission has discovered that or not.

Sardar Majithia: I answered that question on 9th August, but I do not mind repeating it again, that the agreement arrived at between our Government and the Secretary-General are adhered to.

Shri Hem Barua: The Security Council resolution does not say that the troops in the Congo would be utilised for disarming Tshombe's troops or something like that. But recently they have been used for that purpose. That is why I am particular about this and that is why I want to know on this particular point.

Sardar Majithia: As I said, there is a certain agreement between us and the Secretary-General regarding how our troops are going to be used. That, as I said last time also and I repeated previously, is strictly being adhered to.

Repayment of Advance to TISCO and IISCO

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*1049. { **Shri Ram Krishan Gupta:** / **Sardar Iqbal Singh:**

Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No. 1799 on the 1st May, 1961 and state:

(a) whether the terms of repayment of the advance made to TISCO and IISCO have since been finalised; and

(b) if so, the details thereof?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). No, Sir. The report of the Tariff Commission has not been received.

Shri Ram Krishan Gupta: May I know whether any of the companies has made any repayment since 1st May, 1961?

Sardar Swaran Singh: I do not think so, because that will depend upon the report of the Tariff Commission.

Shri S. M. Banerjee: In reply to a previous question the hon. Minister stated that the terms of payment will be settled as soon as a decision has been taken on the retention price to be allowed to TISCO and IISCO. I want to know when a final decision is going to be taken by the Tariff Commission in this regard?

Sardar Swaran Singh: As the time of the receipt of report from the Tariff Commission is uncertain, I could not really give any useful information. As soon as the report of the Tariff Commission is received we will try to expedite its examination and take action as soon as possible.

Shri Tyagi: What is the total amount of advances made to TISCO and IISCO respectively?

Sardar Swaran Singh: That information has been given earlier. To Tatas I think it was Rs. 10 crores and to Indian Iron and Steel it was Rs. 10 crores on one occasion and a little over Rs. 1 million on the other occasion.

Shri Tangamani: May I know whether any repayment has been made out of the advances paid to TISCO and IISCO? The hon. Minister just now said that Rs. 10 crores to TISCO and Rs. 10·1 crores to IISCO have been given. I would like to know whether any repayments has ever been made at all.

Sardar Swaran Singh: Not yet.

Shri Hem Barua: In view of the fact that fixation of retention price is linked up with the recommendations of the Tariff Commission, may I know whether in the meanwhile an interim fixation of retention price has been made?

Mr. Speaker: How does it arise out of this?

Shri Hem Barua. It arises.

Mr. Speaker: This is about terms of repayment.

Shri Hem Barua. On a previous occasion it was said that retention price has not been fixed as it depends on the recommenadtion of the Tariff Commission.

Mr. Speaker: That does not arise out of this question. The term of repayment has nothing to do with retention price.

Shri Hem Barua: These are interest-free loans, and there is an interpretation that the retention price will be increased in order to enable them to pay these loans. Last time it came up like that.

Mr. Speaker: Let me put the question this way. Is repayment delayed on account of the non-fixation of retention price, and is it a fact that the retention price is going to be increased so as to enable the companies to repay the loans and thus put the burden upon the community? That is exactly what the hon. Member wants.

Sardar Swaran Singh: Sir, if I may recapitulate, this point has been raised here on occasions more than one. The Government's position on that issue has also been clarified, but as it has been raised again I would like to say again what I have said before as to what were the terms upon which these loans have been advanced. It may be recalled that this happened as far back as the year 1953 and the position is like this.....

Mr. Speaker: Are they still interest-free?

Sardar Swaran Singh: No, Sir, interest at the rate of 5 per cent on the recommendation of the Tariff Commission is being charged from a certain date.

Mr. Speaker: From the beginning?

Sardar Swaran Singh: No, Sir, from a certain date later on. All these points will be clear if I were to re-state what is contained in the original agreement—you may like it, you may not like it, but that is the agreement.

Mr. Speaker: I have nothing to do with that.

Sardar Swaran Singh: Advances were made to steel companies in order to enable them partially to meet the cost of modernisation and expansion programme. The intention at the time of granting these advances was that the steel companies should not be asked to pay any interest during the period of construction. The provisions in the agreements were:

(a) the advances shall have no maturity date and shall bear no interest whatsoever prior to 30th June, 1958 or such later date as may be mutually agreed upon and (b) the Government of India shall decide, on the advice of the Tariff Commision, whether from the 1st of July, or such later date as aforesaid, the company should be charged any interest on the said advance and at what date the company should repay the advances. To the extent that the interest and repayment of the advances does not come out of the share capital to be raised by the two companies, the funds which were repayable were to come out of a special element in the price of steel. That is the position.

Shri Ram Krishan Gupta: May I know the period for which exemption from the payment of interest has been given?

Sardar Swaran Singh: This matter was referred to the Tariff Commission and they were asked to conduct enquiries and submit their report about repayment and interest by the companies, and the Commission recommended that interest on the special advances should be charged on the two companies from the 1st July, 1958 at 5 per cent per annum.

Shri S. M. Banerjee: In reply to a previous question also it was stated that interest would be charged from the 1st July, 1958, as already stated by the hon. Minister. I want to know whether interest is being paid regularly by the companies from 1st July, 1958 or even the interest is due.

Sardar Swaran Singh: It is not being paid because the Tariff Commission has stated that the actual recovery of the amount may have, however, to be postponed until a decision is taken regarding the common retention price to all the main producers of iron and steel, both in the public and private sectors, after 31st March, 1960, and that reference is with the Tariff Commission. It is after the receipt of that report that a final decision can be taken.

Pay Commission's Recommendations

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*1050. **Shri Nek Ram Negi:**
Shri Ram Krishan Gupta:
Shri S. M. Banerjee:

Will the Minister of **Finance** be pleased to refer to the reply given to Starred Question No. 961 on the 20th March, 1961 and state:

(a) whether Government have implemented the recommendations of the Pay Commission which have been accepted by Government; and

(b) if not, the reasons therefor?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) and (b). A statement showing the recommendations of the Pay Commission which have been accepted by the Government but which have not yet been implemented and showing in each case the action taken on the respective recommendations is placed on the Table of the House. [*See* Appendix III, annexure No. 74].

Shri Ram Krishan Gupta: In the statement the first recommendation is about permission to Government doctors for private practice. About this recommendation it is stated that it has been accepted in principle and will be implemented when the Central Health Service comes into operation. May I know the steps that are being taken by Government to set up this organisation so that this recommendation may be implemented soon?

Shrimati Tarkeshwari Sinha: From the question itself it is obvious that the Health Ministry is taking all steps to see that the Central Health Service comes into operation as soon as possible.

Shri S. M. Banerjee: As a result of the recommendation of the Pay Commission and modification by Government, casual leave was reduced from 15 to 12 days and Saturday was made a full working day. I want to know whether Government have recently taken a decision to restore these concessions.

Mr. Speaker: On the recommendation of the Pay Commission, casual leave has been reduced and larger number of hours have been introduced, against which there has been representation. The hon. Member wants to know whether Government have taken any decision to restore those concessions.

Shrimati Tarkeshwari Sinha: I have already stated the recommendations of the Pay Commission which have been implemented. The only thing we are yet to do is to define the terms "industrial employees" and "industrial establishments". That has to be evolved.

The Minister of Finance (Shri Morarji Desai): The question which the hon. Member has asked is about variation in the recommendations of the Pay Commission. There has been some variation in some matters, but in major matters there is no variation; only in minor matters there has been variation in the orders passed by the Government, and they are not going to be changed.

Mr. Speaker: The question is regarding the days of leave and Saturday.

Shri Morarji Desai: Is that about Saturday?

Shri S. M. Banerjee: Recently an impression was given that Government have now decided to restore the casual leave which was reduced from 15 to 12 days and to make Saturday half working day.

Shri Morarji Desai: No, Sir. There is no change.

Shri Muhammed Elias: In a number of cases the recommendations of the Pay Commission have not yet been implemented. The hon. Deputy Minister has just now stated that they will be implemented very soon. How long will it take to implement all the recommendations of the Pay Commission? Because, already two years have passed.

Shri Morarji Desai: I do not know when two years have passed. The recommendations are so many, the number of employees are so many and the varieties are also so many that it is bound to take some time. It is very easy to decide on a policy, but for implementation it is not so easy. Some more time will be taken. That is the only assurance that I can give.

Mr. Speaker: This general question ought not to have been admitted at all. Because, the question is whether all the recommendations have been implemented. Possibly, some of the recommendations are still under consideration. We know that when the Estimates Committee make some recommendations, some can be implemented immediately whereas some will take some time. Therefore, it is an omnibus question whether all of them have been implemented. Some of them may be yet to be implemented. If more details are required, I would request hon. Members to table separate questions on each particular recommendation.

Shri Tangamani: In reply to a previous question a big list was given. Now we have asked only about those recommendations which have been accepted by Government and which number only 15. In respect of these 15 recommendations, we would like to know the stage of acceptance of implementation of the recommendations.

Mr. Speaker: Am I to allow 15 hours for that.

Shri Tangamani: They are major things.

Mr. Speaker: It has been stated that all except one are being implemented.

Shrimati Tarkeshwari Sinha: Most of them have been implemented. Some of the recommendations are under consideration. Some of the recommendations are going to be referred to the National Joint Council. It is such a long list that I cannot give all the details.

Mr. Speaker: If it is a list of 15 items, will it not be convenient to give a statement?

Shri Morarji Desai: Tables are given, statements are given, from time to time. In this case also, it has been given.

Shri S. M. Banerjee: In this statement it is stated that leave to industrial workers has been accepted. The definition of the terms "industrial employees" and "industrial establishments" has to be evolved before issue of orders and it is proposed to consider the matter at an inter-departmental meeting. Even now the definition of " industrial employees" is not known. So, the delay is annoying.

Mr. Speaker: The hon. Member is arguing. Next question.

Manufacture of Equipment for Oil and Natural Gas Commission

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*1051. **Shri Ram Krishan Gupta:**
Shri Chuni Lal:
Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Unstarred Question No. 1144 on the 8th March, 1961 and state:

(a) whether the negotiations carried out for the manufacture of equipment needed for the Oil and Natural Gas Commission have since been concluded;

(b) if so, the result thereof; and

(c) whether spare parts of pumps and drilling equipment are already available from Ordnance Factories?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) and (b). Ordnance Factories will be in a position to manufacture some spare parts of slush pumps and drilling equipment; regarding other equipments, the lists furnished by the Oil and Natural Gas Commission are under scrutiny by Defence Establishments. Further discussions are in progress.

(c) No, Sir.

Shri Ram Krishan Gupta: Coming to the first part of the question, may I know the names of the companies or firms with which negotiations are carried out?

Shri Gajendra Prasad Sinha: In the reply I have stated that negotiation is going on with the ordnance factories for manufacture of some of the components.

Shri Subodh Hansda: May I know whether the full equipments will be manufactured in these ordnance factories or only parts?

Shri Gajendra Prasad Sinha: Full equipments of what? Rigs? Till now we have been able to come to an arrangement with the ordnance factories for the manufacture of some spare parts.

I.A.S. and I.P.S. Cadres

*1052. **Shri Harish Chandra Mathur:** Will the Minister of **Home Affairs** be pleased to refer to the reply given to Starred Question No. 1072 on the 23rd March, 1961, and state:

(a) what criterion governs the strengthening of I.A.S. and I.P.S. cadres of each of the various States; and

(b) what explains the fact that while Madras has curtailed the number certain other States have considerably increased the number of I.A.S. officers?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) The strengthening of I.A.S. and I.P.S. cadres of each of the various States depends upon the requirements of the State Governments in respect of administrative and police personnel.

(b) Most of the State Governments have increased their cadre strengths after taking into consideration their Third Five Year Plan requirements. Similar proposal from the Government of Madras is, also, awaited.

In November, 1958, due to the inclusion of four posts of Deputy Development Commissioners in the I.A.S. cadre of Madras, the strength was raised from 141 to 150. In November, 1960, when the posts of Deputy Development Commissioners, were excluded from the cadre, the strength was reduced to 141. Thus, except for a short period (i.e., from November, 1958 to November, 1960) there has not been any significant curtailment in the I.A.S. cadre of Madras.

Shri Harish Chandra Mathur: If you will look at the statement you will find that the revised strength of Mysore is 100 and that of Orissa is also 100, while that of Punjab has been raised from 109 to 162, that is, 53 officers more have been added to it. This number of 53 officers is equal to the increase in strength in another ten States. May I know whether 53 new posts have been created? What explains this abnormal rise?

Shri Datar: It depends upon the requirements of the various State Governments. They assess their requirements and apprise the Central Government of that. Then the whole matter is fully considered and either the addition is allowed or they are requested to reconsider the matter.

Shri Harish Chandra Mathur: I accept the principle. But I am asking for definite information. There is an abnormal rise of 53 IAS officers in one State Comparative States like Mysore and Orissa have got only 100 officers each.

Mr. Speaker: The hon. Minister has answered it by saying that the number that is assigned to any particular State depends upon the needs of that State as represented by that Government to the Home Ministry.

Shri Raghubir Sahai: In view of this tendency to strengthen the cadre of IAS, is it necessary that recruitment to the Provincial Civil Service should continue and has this tendency not resulted in the diminuation of the status of the Provincial Civil Service?

Shri Datar: There is no general tendency to increase except where it is necessary. Certain posts have been demarcated for the IAS and the IPS. It is only in respect of them that appointments are made from IAS. So far as the PCS is concerned, it has got its own importance.

श्री म० ला० द्विवेदी : अभी मन्त्री महोदय ने बतलाया कि जिस राज्य की जितनी आवश्यकता होती है उसके अनुसार भरतीयां की जाती है आई० ए० एस० में । मुझे यह मालूम हुआ है कि सरकार ने यह परीक्षण किया है कि दक्षिण भारत के आई० ए० एस० के अधिकारी उत्तर भारत में और उत्तर भारत के अधिकारी दक्षिण भारत में नियुक्त किये जायें । यदि यह अन्तर्राज्यीय सेवा केडर बन चुका है तो हर एक राज्य के लिये अलग अलग आवश्यकता कम या ज्यादा होने की क्या वजह है ?

Shri Datar: These two questions are entirely different. So far as the cadre is concerned, it depends upon the requirements of each State.

Shri M. L. Dwivedi: He says that the strengthening of the cadre is dependent upon the demand from a particular State. When IAS officers trained for a certain State are employed in northern India and *vice versa*, why there can be.....

Mr. Speaker: I do not think they are trained for any particular State. In Mussorie there is a training school.

Shri M. L. Dwivedi: He says that according to the requirements of a particular State the number of trainees is less or more.

Shri Datar: But the two questions are entirely different.

Mr. Speaker: The hon. Member is misunderstanding it. We are not concerned with who is posted to which particular State so far as this question is concerned. If a particular State wants more, they are prepared to supply. The training largely

depends upon the manner in which they are asked.

Shri Thirumala Rao: In view of the fact that the ICS cadre has to disappear gradually with the efflux of time, is there any programme to replace it by IAS with equal efficiency and experience?

Shri Datar: It is already there. IAS is now the most important service so far as the administrative service is concerned. Steps are already being taken.

Shri Ranga: Has the earlier principle or practice been given up whereby from out of this All-India service people belonging to, say for instance, Punjab or to other States would be sent to down south and those belonging to the south would be sent up to the north so that there will be a good enough element of outsiders remaining in the IAS in a particular State and better administration can be had?

Shri Datar: Government are following this principle.

Mr. Speaker: On the other hand there is trouble. Those people in a particular State make representations to the hon. Home Minister saying that they ought to be posted to their own States.

Shri Ranga: Outsiders will provide more impartial administration.

Shri Surendranath Dwivedy: May I know whether the Central Government has issued any instruction or has tendered any advice to the States concerned to the effect that posts of heads of departments shall be given only to IAS officers?

Shri Datar: There are certain administrative posts above that of the District Officer and certain other posts which have been reserved for the IAS officers.

Shri Surendranath Dwivedy: I want to know particularly about the posts of heads of departments.

Mr. Speaker: He is not able to say that. The hon. Member will give notice of a separate question for that.

Shri Chintamoni Panigrahi: I would like to know whether the requirement of Orissa Government was only 100, or whether they asked for more but the Central Government sanctioned only 100 posts.

Shri Datar: This question merely relates to Madras. All the same on an earlier occasion I had given the cadre strength, the required strength and the sanctioned strength in respect of each of the IAS and IPS cadres.

Shri Chintamoni Panigrahi: Sir, I want to know.....

Mr. Speaker: He is not able to give information about individual States. This question relates only to Madras. I am not going to allow questions relating to the other 14 or 15 States.

Shri Tyagi: The other day we had read that the Chief Ministers in their conference had decided something about the integration of these services making them all-India services. Is any progress being made in that direction?

Shri Datar: That principle is being followed wherever appointments are to be made to a cadre on the strength of the annual examination. That is taken into account. Officers from one State are induced to go and take up appointments in other States.

Shri Harish Chandra Mathur: I want to ask two supplementary questions which relate to this particular question. Is it a fact that in certain States a percentage of posts of collectors and district magistrates as also of secretaries are held by Provincial Civil Service officers while in other States these are the exclusive preserve of IAS officers? If so, what justifies this differentiation?

Shri Datar: Generally the idea is that so far as these higher administrative services are concerned, they should before long be held by IAS

officers. On account of certain historical reasons, specially in the case of the former Part B States, there are certain posts which are held by State officers.

Shri Harish Chandra Mathur: Is it a fact that IAS officers with hardly five years' experience are holding the posts of collectors and secretaries in preference to experienced officers of merit in the Provincial Civil Service? If so, what are the reasons for such a practice?

Shri Datar: Wherever appointments are made, among other things the period of experience is also taken into account.

Shri Harish Chandra Mathur: I do not want to ask any supplementary question but with great respect I want to put to the Chair that I have asked three questions to which there is nothing but a vague and a general answer. Specific questions have been asked, but there is no specific answer to them. This is a sort of avoidance of information.

Mr. Speaker: I am satisfied with the answers given. The hon. Member may not get what all he wants. The hon. Member asked a question, namely, is it a fact that officers with less than five years' experience are also posted as collectors? The hon. Minister has said that officers with experience are posted. As such, if any particular case comes to the hon. Member's notice, he wil bring it to the hon. Minister's notice. That is the only way in which individual cases can be tackled.

Shri Harish Chandra Mathur: I am not referring to individual cases. This is the general practice.

Mr. Speaker: He denies it. The hon. Member knows as much English as any other hon. Member here. He has definitely said that persons with experience only are posted. If an individual case is there, he may bring it to the notice of the hon. Minister.

Shri Harish Chandra Mathur: Does he say that men with less than five years' experience are not posted? Is that his answer?

Mr. Speaker: If the hon. Member comes across any particular individual's case, he may bring it to the hon. Minister's notice. Next question.

भूतपूर्व सनिकों को पेंशन

*१०५५. **श्री भक्त दर्शन :** क्या प्रतिरक्षा मन्त्री २९ नवम्बर, १९६० के ता रांकित प्रश्न संख्या ५५६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) भूतपूर्व सैनिकों की पेंशन की दर बढ़ाने के सम्बन्ध में जो निश्चय किया गया था उसे कार्यान्वित करने में इस बीच क्या प्रगति हुई है ;

(ख) क्या यह बात उनके ध्यान में आई है कि इस सम्बन्ध में आदेश दिये जाने के बावजूद भी भूतपूर्व सैनिकों को अब तक बढ़ी हुई दर से पेंशन नहीं मिली है जिससे उनमें असन्तोष की भावना बढ़ गई है; और

(ग) यदि हां, तो बढ़ी हुई दर से पेंशन देने के आदेशों को कार्यान्वित करने तथा बकाया राशि का भुगतान करने के लिये भी क्या कार्यवाही की जा रही है ?

प्रतिरक्षा उप मंत्री (सरदार मजीठिया) : (क) से (ग) एक विवरण सभा के पटल पर रख दिया गया है ।

I shall read in English also.

(a) to (c). A statement is laid on the Table of the House.

विवरण

सशस्त्र सेनाओं के पेंशनरों की, पेंशन में बढ़े दरों पर अस्थायी वृद्धियों के लिये आदेश, ३१ दिसम्बर, १९६० को जारी कर दिए गए थे । इन आदेशों के अन्तर्गत, जो १ अप्रैल, १९५८ से लाग् हैं, साढ़े तीन लाख पेन्शनर आते हैं । इस की तुलना में ४ अगस्त १९६१ तक ७४,००० व्यक्तिगत स्थितियों

में, संशोधित अस्थायी वृद्धियों की स्वीकृतियों के निमित्त, आदेश जारी कर दिए गए थे। इसके अतिरिक्त दो परिपत्र जार किए गए थे, जिनके आधार पर पेन्शनों का भुगतान करने वाले अधिकारी, व्यक्तिगत मामलों के बारे में किसी अतिरिक्त आदेशों की प्रतीक्षा किए बिना, लगभग ८४,००० पेन्शनरों को अदायगी कर सकते हैं। लगभग ७००० अन्य स्थितियों में भुगतान करने वाले अफसरों को स्वीकृतियां जारी करने के लिये संशोधित दरों पर दावे तैयार कर लिये गए हैं। यह प्रगति सरकार के आदेशों को क्षिप्रतम रीतियों से कार्यान्वित करने के कार्य के कारण सम्भव हो सकी है।

पेन्शनरों की बहुत बड़ी संख्या को सामने रखते हुए जिन्हें उच्च अस्थायी वृद्धियें १-४-१९५८ से सावशेष प्राप्त होंगी, प्रतिरक्षा लेखा (पेन्शन) नियन्त्रक, इलाहाबाद और देश भर के, पेन्शन भुगतान करने वाले अधिकारियों को, सरकार के आदेश कार्यान्वित करने में, और बड़ी पेन्शनों की अदायगी में, अवश्य ही कुछ समय लगेगा। इसलिये सरकार ने ६ फरवरी, १९६१ को पेन्शनरों को परामर्श देते पत्रज्ञप्ति जारी की है, कि वह नियन्त्रक द्वारा पुनरीक्षण के परिणामों की प्रतीक्षा करें।

श्री भक्त दर्शन : श्रीमन्, इस विवरण के लिये माननीय मन्त्री जी को धन्यवाद देते हुए भी मुझे यह पूछना है कि जबकि यह आदेश ३१ दिसम्बर, १९६० को जारी हो गया था फिर ऐसा क्यों है कि अभी तक लगभग दो लाख भतपूर्व सैनिकों को ही इसका लाभ पहुंचा है? मैं जानना चाहता हूं कि शेष के लिये क्या कार्यवाई की जा रही है और देरी मे देरी कब तक उनको इसका लाभ पहुंच सकेगा?

सरदार मजीठिया: जैसा कि अभी माननीय सदस्य ने कहा, साढ़े तीन लाख में से तकरीबन सवा दो लाख का तो फैसला हो ही गया है। बाकी जो एक लाख के लगभग रह गए हैं उनके मामले में देरी होना आवश्यक है क्योंकि यह मामला इतना सीधा नहीं है। जबकि पेंशन का रेट बढ़ाया जाता है तो उस वक्त पर बहुत से और सवालात सामने आते हैं, जैसे उनका क्या रैंक था और किस किस्म की पेंशन थी और दूसरे ऐसे मामलों पर साथ साथ विचार किया जाता है। यही वजह है कि इतनी देरी हो रही है और इतनी देरी लाजिमी है।

श्री भक्त दर्शन : श्रीमन, यह मैं मान सकता हूं कि बकाया की अदायगी में देरी हो सकती है, लेकिन क्या इस तरह के आदेश दिए गए हैं कि जो पेंशन में बढ़ोत्तरी की गयी है वह जल्दी लागू की जाए ताकि उससे लोगों को लाभ मिल सके?

सरदार मजीठिया : ऐसा तो है, लेकिन जैसा मैंने कहा जो बढ़ोतरी हुई है वह सात रुपए से लेकर साढ़े बारह रुपए तक है, और कितनी बढ़ोतरी होनी चाहिए यह तै करने के लिये उनका रैंक भी देखना होगा और यह भी देखना होगा कि किस टाइप की पेंशन है और और मसले भी सामने आयें। इसलिये देरी होनी लाजिमी है।

श्री हेम राज : इस मामले का फैसला १९६० में ही हो गया था, लेकिन क्या यह सही है कि इसके मुताबिक अभी किसी को पेमेंट नहीं किया गया है?

सरदार मजीठिया : जी नहीं, यह बात ठीक नहीं है। जैसा कि मैंने कहा और जैसा कि मुझे मे पहले माननीय सदस्य ने कहा, साढ़े तीन लाख सैनिकों में से दो लाख २८ हजार का फैसला हो गया है।

Shrimati Ila Palchoudhuri: Since the pensioners will be entitled to enhanced pension according to the statement laid on the Table of the House from 1st April, 1958, may I know if all of them have been informed, because, many of them do not

even know that they have become entitled to this enhanced pension? Some of their relatives who would get that pension have not come to know. When they come to know and when they apply, there is a very big gap of time before they get any reply or any redress.

Sardar Majithia: Government have already given due notification. It is a Government notification and every one takes benefit out of it. I should like to assure ex-servicemen through this House that each individual case will be looked after and no injustice will be done.

Shri S. M. Banerjee: It is said in the statement that it will necessarily take some time for the Controller of Defence Accounts (Pensions) Allahabad and the Pension Disbursing officers all over the country to implement fully the orders of the Government. I want to know, when the Government took the decision, was it not with the concurrence of Audit authorities and if so, why should they take such a long time.

Sardar Majithia: When the cases of these 74,000 plus 84,000 plus 70,000 people were decided upon, the Controller General of Defence Accounts was consulted. His representative was on the committee which went into this along with representatives of the Ministry of Defence The Financial Adviser was also there. They have all gone into that affair.

श्री भक्त दर्शन : श्रीमन्, क्या कंट्रोलर ग्रौफ डिफेंस एकाउण्ट्स ने मन्त्रालय को बतलाया है कि देरी से देरी कब तक ये हिसाब पूरे कर लिये जायेंगे ? मैं जानना चाहता हूं कि ज्यादा से ज्यादा ये हिसाब इस फाइनेंशल इयर के ग्रन्त तक तो पूरे हो जायेंगे या नहीं ?

सरदार मजीठिया : यह कहना बड़ा मुश्किल है कि कब तक पूरे हो जायेंगे । मगर कोशिश की जा रही है कि जल्दी से जल्दी इनको निपटाया जाए ।

Shrimati Ila Palchoudhuri: May I know whether, under this scheme and process of work, the I.N.A. officers personnel will come in for pension that is due to them? Has all the pension that is due to them been disbursed up to the year?

Sardar Majithia: If a separate question is put regarding I.N.A., we will answer that.

Shri D. C. Sharma: What is the extra amount that the Government will have today in view of the enhanced pension?

Sardar Majithia: The exact amount of what the Government will have to pay can only be found out when every pensioner's pension has been finalised. I can roughly say that it will run into a couple of crores of rupees.

Industrial Council for Ordnance Factory Employees

*1056. **Shri S. M. Banerjee**: Will the Minister of **Defence** be pleased to state:

(a) whether the meeting of the Industrial Council for the Ordnance Factory employees was held in Director-General's Office at Calcutta;

(b) if so, what items were discussed;

(c) how many workers' representatives attended the meeting; and

(d) the items on which decisions were taken?

The Parliamentary Secretary to the Minister of Defence (Shri Fatesinhrao Gaekwad): (a) Two meetings of the Industrial Council have been held so far. The last meeting was held in April, 1959.

(b) The items discussed at the last meeting were broadly:—

(i) Industrial Relations;

(ii) Production problems and productivity;

(iii) Discipline in Ordnance Factories; and

(iv) Welfare Measures.

(c) Forty-four members.

(d) A statement is laid on the Table of the House.

STATEMENT

(1) Opening of more branches of the Women's Welfare Association to make the scheme of 'Family Welfare' a success.

(2) Allotment of office accommodation to recognised Unions wherever such accommodation is available.

(3) Removal of disparity in conditions of service of industrial employees and non-industrial employees.

(4) Grant of recognition to only one Union in the same installation.

(5) Abolition of Negotiating Machinery at the lowest level.

(6) Increased educational facilities for children of employees in Ordnance Factories.

(7) Supply of tea and snacks to the workers during working hours.

Shri S. M. Banerjee: In the statement, item 4 is, grant of recognition to only one union in the same installation. I want to know, when there are rival unions in most of the defence installations now, what steps Government propose to take to see that the most representative union is granted recognition.

The Deputy Minister of Defence (Shri Raghuramaiah): This recommendation has been considered by the Government and it has been decided that so long as a union fulfils the conditions of recognition, recognition could not be refused by the Government to any union.

Shri Muhammed Elias: The hon. Minister said about conditions. What are the conditions?

Mr. Speaker: The conditions have always been referred to in this House.

Shri S. M. Banerjee: Another item in the statement is removal of disparity in conditions of service of industrial employees and non-industrial employees. I would like to know whether the Government propose to implement the recommendations of the Admiral Shankar Committee which was institute to go into this question.

Shri Raghuramaiah: The committee specially constituted to go into this question has made certain recommendations. Some of the proposals are still under examination of the Government.

Shri S. M. Banerjee: Arising out of this, I want to know whether it is a fact that nearly 32 unions lost their recognition because of participation in the strike. I want to know whether the Government propose to consider this matter and restore their recognition.

Shri Raghunramaiah: This is a general question and naturally, the Defence Ministry cannot take an isolated decision. It is for the Government as a whole to consider the matter.

Mr. Speaker: Shri Vidya Charan Shukla—Not putting it. Next question.

Post-matric Scholarships to Children of School Teachers

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*1062. { **Shrimati Ila Palchoudhuri:** / **Shri Chintamoni Panigrahi:** / **Shri Aurobindo Ghosal:** }

Will the Minister of **Education** be pleased to state:

(a) whether any Post-Matric Merit Scholarships have been awarded to children of Primary and Secondary School Teachers in India this year (1961) instituted under a Central Government Scheme; and

(b) if so, the details thereof, State-wise?

The Minister of Education (Dr. K. L. Shrimali): (a) Not yet, as the last

date for the receipt of recommendations from the State Governments is 15th September, 1961.

(b) Does not arise.

Shrimati Ila Palchoudhuri: May I know how many scholarships will be given by the Centre? What is the number that is intended to be given?

Dr. K. L. Shrimali: We have distributed these scholarships to all the States. May I place the whole statement on the Table of the House so that hon. Members can see how many scholarships have been allotted to each State?

Shri Aurobindo Ghosal: May I know the criterion for selecting the sons of the teachers for the scholarships?

Dr. K. L. Shrimali: The children of these teachers, who have outstanding merit, will be selected for these scholarships. The total number of scholarships is 500, and they are distributed among the various States.

Shri Chintamoni Panigrahi: May I know whether the State-wise distribution has not yet been decided?

Dr. K. L. Shrimali: The State-wise distribution has been decided, and I said that I would place the whole statement. I can read it out if the House likes, but it will take some time.

Shrimati Parvathi Krishnan: He may read it out. After all, there are only fourteen States.

Dr. K. L. Shrimali: The distribution is as follows:

State	*No. of Scholarship*
Andhra Pradesh	42
Assam	15
Bihar	35
Bombay (Gujerat and Maharashtra)	76
Jammu and Kashmir	5
Kerala	33
Madhya Pradesh	31
Madras	47
Mysore	32
Orissa	16
Punjab	23
Rajasthan	15
Uttar Pradesh	56
West Bengal	44
Andaman & Nicobar Islands	5
Delhi	5
Laccadive & Minicoy Islands	5
Himachal Pradesh	5
Manipur	5
Tripura	5

Shrimati Parvathi Krishnan: May I know the criteria on which this allocation to the various States was made?

Dr. K. L. Shrimali: It is usually on the basis of the number of teachers employed in different States.

Shri D. C. Sharma: May I know whether these scholarships are open to the children of school teachers, irrespective of their pay, or whether any restriction is placed in regard to the pay that a person draws, so that only the children of those who draw up to a certain pay can draw these scholarships?

Dr. K. L. Shrimali: There is a means test for the award of scholarships, that is, full scholarships, and it is as follows: Income up to Rs. 500 per annum, irrespective of the number of children; income between Rs. 501 and Rs. 600 per annum, for teachers with two or more children; income between Rs. 601 and Rs. 700 per annum for teachers with three or more children; income between Rs. 701 and Rs. 900 for teachers with four or more children. In this way, the whole means test is fixed up, and our intention is to cover as many of the children of school-masters as possible, and we expect gradually to cover all the outstanding children of school teachers both at the primary as well as at the high school stages.

Shri Sinhasan Singh: The hon. Minister has stated the scholarships have been distributed among the various States on the basis of the teacher population in the different States. In view of the figures that have been given for U.P. and Bombay, may I know whether the teacher population is greater in U.P. than in Bombay and whether this ratio has been kept in view in allocation the scholarships?

Dr. K. L. Shrimali: As I have stated, these scholarships have been distributed among the various States and Union Territories, in proportion to the number of primary and secondary school teachers in the different States, subject to a State getting at least five scholarships, if the quota of that State happens to be less than five scholarships. That is the principle which we have followed, and the hon. Member may take it for granted that the distribution has been on this basis. Secondly, in the States and the Union Territories, the awards of these scholarships are to be made only to the candidates from those States and Union Territories, strictly in order of merit. That is the main basis on which these scholarships will be distributed.

श्री म० ला० द्विवेदी : अभी हाल ही में हमारे गृह मन्त्रालय ने एक परिपत्र भेजा है राज्य सरकारों को कि स्कालरशिप्स देने के लिये माप दण्ड आर्थिक होगा न कि कोई और विचार । मैं जानना चाहता हूं कि चूंकि हमारे अध्यापक जो हैं उनका आर्थिक स्तर बहुत कम है इसलिये उनके पिछड़ेपन के लिहाज से उनके बच्चों को भी क्या पोस्ट मैट्रिक स्कालरशिप्स दिये जायेंगे ।

डा० का० ला० श्रीमाली : दूसरे स्कालरशिप्स की जो योजना है वह भिन्न है, और मैं समझता हूं कि उसको भिन्न होना चाहिये । उस सारी योजना को अनाउन्स कर दिया गया है । यह खास योजना अध्यापकों के बच्चों के लिये है, और जो कुछ डिस्ट्रिब्यूशन होता है, उसका सिद्धान्त मैंने आपके सामने रख दिया है । मकसद यह है कि अध्यापकों को जितनी सुविधायें मिल सकें, उतनी दी जायें ।

Shri D. C. Sharma *rose*—

Mr. Speaker: Has Shri D. C. Sharma got children? Does he come under this benefit?

Shri D. C. Sharma: Yes. May I ask the hon. Minister whether he would like to increase the number of dependent children, so far as the teachers are concerned, because as the statistics show, teachers are usually blessed with more children than people who follow other professions?

Lubricating Oil Plant

4. Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No. 473 on the 2nd March, 1961 and state:

(a) whether it is a fact that Government have accepted the proposals of Standard-Vacuum to establish a Lubricating Plant in the country; and

(b) if so, the details of the agreement?

The Parliamentary Secretary to the Minister of Steel, Mines and Fuel (Shri Gajendra Prasad Sinha): (a) Not yet, Sir.

(b) Does not arise.

Shri Hem Barua: I wrote to you about Starred Question No. 1068, and I requested that it might be taken up now.

Shri M. L. Dwivedi: What has happened to Starred Question No. 1067?

Mr. Speaker: Hon. Members are aware that if any hon. Member writes to me that just five minutes before

the Question Hour closes, a particular question may be taken up and given priority, I consider that matter and then allow it.

Shri M. L. Dwivedi: This means that the questions of those hon. Members who would be getting their legitimate chance could not be taken up.

Mr. Speaker: I decide that this question may be given priority just two minutes before the Question Hour closes. If any hon. Member had drawn my attention to any other question, I would have considered that also.

Statement by the Union Law Minister

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*1068 **Shri Hem Barua:**
Pandit D. N. Tiwari:
Shri Khushwaqt Rai:
Shri N. R. Muniswamy:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the Union Law Minister while commending a settlement of Assam's language problem through negotiations between the Cachar leaders and the Union Home Minister said recently at a Press Conference in Calcutta to the effect that "if negotiations however break down, it will create a state for civil war in Assam with all its consequences";

(b) if so, whether Government are aware of the wide-spread reaction in Assam that the Law Minister's statement has led to; and

(c) whether Government would enlighten the public on the purport or genesis of this statement made by a member of Government?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes.

(b) Government are aware of certain reactions in Assam.

(c) The Law Minister was laying stress on the imperative necessity of accepting the formula that had emerged in the course of Shri Lal Bahadur Shastri's discussions with the different parties, and of ending all disputes. He was stressing the serious consequences which might follow if the negotiations failed by the rejection of this formula.

Shri Hem Barua: May I know whether a statement of this sort coming from a Member of the Government, namely that 'If negotiations, however, break down, it will create a state of civil war in Assam with all its consequences', made to the Sangram Parishad of Cachar, that was the spearhead of the agitation there, is not an indirect encouragement to a certain section of the people to start a civil war in Assam?

Mr. Speaker: It is a matter of opinion.

The Minister of Home Affairs (Shri Lal Bahadur Shastri): As the reply says, the Law Minister did not give any kind of encouragement of that type or instigate people to start some kind of civil war. The fact of the matter is that he said something entirely different. He was appealing to them and requesting them not to start any kind of movement. And when they insisted that they would do so, he said that they should try persuasive methods and agree to the proposals which were put forward by me; but when they said 'Suppose it is not agreed to?', then, he said, that one did not know, but there might be difficulties and conflicts within the State itself.

Shri C. K. Bhattacharya: The hon. Minister has stated that Government have become aware of certain reactions. May I know from what spheres of public life these reactions have been ascertained, from the newspapers, from the meetings or from what other spheres of public life?

Shri Lal Bahadur Shastri: We have read what has appeared in the papers both in Assam as wll as in West Bengal.

Shri Manaen: In view of the recent decisions at the Chief Ministers' Conference, will some of the recommendations of the Shastri Formula, such as Bengali being the only language of Cachar, be dropped?

Shri Lal Bahadur Shastri: No, Sir. The recommendations of the Chief Ministers' conference do not contradict or cancel the proposals which I had put forward. More or less the same principles have been agreed to with minor variations and changes, but Bengali will continue to be the administrative language of the district.

Pandit D. N. Tiwari: May I know whether, after this statement, the Chief Minister of Assam made any representation to the Government of India about the statement of the Law Minister, and whether the Government of India had some discussions with the Law Minister and the Chief Minister together?

Shri Lal Bahadur Shastri: The Chief Minister had some doubt, and he wrote to the Law Minister, and a copy of that was sent to us also. The matter was explained to him, and I can only tell the House that the Law Minister was exceedingly helpful to us in this matter. His intentions were perfectly good and all right. He was trying to persuade the people not to start agitations and movements, and I think that the talks and discussions that they had helped us a good deal. The Chief Minister is perfectly satisfied that what the Law Minister had said had nothing to do with the kind of imputations which were ascribed to him.

Shri Manaen: Will the hon. Home Minister make one thing clear, because that vitally affects my area, namely Darjeeling, where the question of language is seriously agitating the minds of the people? May I know whether Bengali will be the administrative language in addition to Assamese, or Bengali be the only language for administrative and other official purpose in Cachar? This will have to be made absolutely clear, because the people of Darjeeling have also been demanding almost on the same lines as those of Cachar. If Bengali there is in addition to Assamese, then the people of Darjeeling may also perhaps accept Nepali being the official language in addition to Bengali, because we would like that there should not be two sets of principles for the people living in the same country.

Mr. Speaker: The hon. Member has not been attending Parliament recently. Therefore, he wanted to take this opportunity of making a speech!

Shri Manaen: In fact, I have given notice of a motion for discussion on the report of the Chief Ministers' conference.

Mr. Speaker: I shall see if it can be admitted.

Is it in addition to Assamese, or exclusively Bengali?

Shri Lal Bahadur Shastri: Of course, the regional language of the State cannot be ruled out from any part or any area of the State, but as Bengali-speaking people are more or less 70 per cent. in that area, it has been decided that the administrative language will be Bengali. The practical thing is that Bengali will be used; no other language can be used in that district.

Shri Hem Barua: May I draw the attention of the hon. Home Minister to a letter written by the hon. Prime Minister to Shri Atulya Ghosh, where he says: "A State language is a language for the whole State"? If that is so, may I know whether that would also apply in the case of the declared official language of Assam which means that the declared official language of Assam will not be dislodged from any area of the State?

Shri Lal Bahadur Shastri: I have made it clear that the official language of the State will be for the whole of the State. Yet there can be areas where there are linguistic minorities, and for them the necessary facilities will be given both in the administration as well in education.

WRITTEN ANSWERS TO QUESTIONS

अन्दमान और निकोबार द्वीप समूह में शिक्षा

*१०४७. श्री प्रकाश वीर शास्त्री : क्या शिक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) क्या तीसरी पंचवर्षीय योजना के अन्तर्गत अन्दमान और निकोबार द्वीप-समूह में शिक्षा के लिये कोई विशेष व्यवस्था की गई है;

(ख) वहां अब तक कितने विद्यालय और महाविद्यालय खोले जा चुके हैं; और

(ग) दूसरी पंचवर्षीय योजना की अवधि के अन्त तक इस क्षेत्र में शिक्षितों की कितने प्रतिशत संख्या बढ़ी है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) (क) जी, हां ।

(ख) ८४ विद्यालय खोले गये । महाविद्यालय कोई नहीं खोला गया ।

(ग) ८.४६ प्रतिशत ।

N.C.D.C. Estimates

*1053. **Shri Indrajit Gupta:** Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No. 1141 on the 28th March, 1961 and state:

(a) the reasons for reducing estimates of expenditure of N.C.D.C.'s development programme by nearly Rs. 25 lakhs; and

(b) whether there is any proposal to extend N.C.D.C.'s operations in West Bengal coal fields?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) On the basis of actual expenditure incurred upto the 31st March, 1961, the reduction in the estimate of expenditure under "Development" actually amounted to Rs. 16·94 lakhs and not Rs. 25 lakhs. Considering that the total expenditure of the N.C.D.C. during 1960-61 was Rs. 16·48 crores, the above amount is negligible, being about 1 per cent. Such variations in expenditure are inevitable. But the reduction in development expenditure did not affect the coal production programme materially, as the N.C.D.C. actually exceeded the target rate of production of 13·5 million tons per year in the last quarter of 1960-61.

The reduction in the estimates is basically on account of a shortfall in expenditure under the following head falling under 'Development':

Drivage of Inclines and sinking of pits.
Construction of Bunkers
Drivage of Drifts.
Roads and Culverts.
Miscellaneous and other items.
Water supply arrangements.

(b) The drilling and exploration of the Raniganj area is continuing. The development of the area will be considered after complete geological and prospecting data have been obtained.

Directorate of Practical Training of Mining Students

*1054. **Shri T. B. Vittal Rao:** Will the Minister of **Scientific Research and Cultural Affairs** be pleased to refer to the reply given to Starred Question No. 3950 on the 26th April, 1961 and state:

(a) whether organisational and financial details for the setting up of a Directorate of Practical Training of Mining students have since been worked out;

(b) if so, when is it likely to be set up; and

(c) whether any decision has been taken regarding the scope and duration of the practical training for Diploma-holders?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The details have been finalised and it has been decided to set up the Directorate as soon as possible. Necessary staff has been sanctioned for the purpose.

(c) The question of scope and duration of training is still under consideration.

Japanese Collaboration for machinery making plants

*1057. **Shri Ajit Singh Sarhadi:**
Shri P. C. Borooah:
Shri A. M. Tariq:
Shri Daljit Singh:

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether Japan's collaboration has been obtained in the supply of certain machinery making plants, textile machinery and earth moving machinery and mining machinery for iron ores during recent negotiations carried on by him during his visit to Japan; and

(b) if so, to what extent and what supplies Japan has undertaken to give?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). The visit to Japan was a good-will mission, and no negotiation for any collaboration was carried out. The talks were only on general terms.

Non-Students Youth Clubs

*1058. **Shri Pangarkar:** Will the Minister of **Education** be pleased to state:

(a) whether the proposal to encourage non students youth clubs throughout the country through financial assistance has been finalised, and

(b) the money sanctioned and allotted so far for this purpose?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) Money sanctioned during 1960-61.—Rs. 31,503·00

Money allotted in the Third Plan. - Rs. 4·50 lakhs.

Model High Schools in Delhi

*1059. **Shri Kodiyan:** Will the Minister of **Education** be pleased to state:

(a) whether the scheme to develop Government High Schools in Delhi in order to make them models for the whole country has been implemented;

(b) if so, the details thereof; and

(c) the expenditure incurred by Government in this respect?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). There is actually no scheme for developing Government High Schools in Delhi into Model schools for the whole country as such. The Government have, however, decided to improve the equipment and quality of instruction in Government schools; and to begin with, some schools have been selected for this purpose. The development of such schools will be on the following lines:

(1) Provision of adequate number of properly qualified teachers.

(2) Supply of adequate furniture, science and other equipment including teaching aids.

(3) Adequate library facilities including provision of class room libraries.

(4) Introduction of Science (Domestic Science in Girls' schools) and co-curricular activities.

(5) Extra tuition to week students.

(6) National Discipline Scheme and introduction of methods for inculcating a sense of discipline among the students and teachers on the lines recommended by the Secondary Education Commission.

(7) Introduction of cumulative record cards for each student.

(8) Improvement of environment—maintenance of a school garden, proper sanitary arrangements, drinking water facilities, etc.

As the development of the schools on the lines indicated above will involve considerable expenditure, it has been decided to stagger the introduction of these improvements. To begin with, the Delhi Administration

has introduced these reforms in 12 schools, and another 12 schools are likely to be taken up for improvement this year.

The additional expenditure incurred so far on the above-mentioned reforms in the 12 schools amounts to Rs. 1,43,046.

Sports in Kerala

*1060. {Shri Narayanankutty Menon: Shri Punnoose:

Will the Minister of **Education** be pleased to state:

(a) whether any scheme has been submitted by the Kerala Government for improvement of sports in Kerala State;

(b) if so, what are the details of the scheme; and

(c) what decision has been taken thereon?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). A statement is placed on the Table of the House. [*See* Appendix III, annexure No. 75].

Fuel Expert from Abroad

*1064. **Shri Aurobindo Ghosal:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether any fuel expert under the Colombo Plan has toured India in 1961; and

(b) if so, what is the result of his study?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). Two Colombo Plan experts on industrial fuel efficiency came to India under a Colombo Plan fellowship, and visited some industrial establishments using coal as fuel in Calcutta area. They have sent a report containing numerous suggestions about economy in the use of coal as fuel. These suggestions are being duly considered.

National Physical Efficiency Drive

*1065. **Shri D. C. Sharma:** Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 343 on the 28th February, 1961 and state:

(a) what progress the scheme of national physical drive has made so far; and

(b) at how many places the scheme has been tried and with what results?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The response from the State Governments, to the revised pattern of the Scheme for 1960-61 on the basis that Testing Centres should be set up in educational institutions etc., without claiming any grant from the Government of India and that these Tests should be held four times a year at each Testing Centre was not very encouraging. Although reports from the State Governments are still awaited, it is understood that only a few States launched the Drive during 1960-61.

Eviction of Adivasis by IISCO

*1066. **Shrimati Renu Chakravartty:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that the Indian Iron and Steel Company Chiria forcibly evicted the poor Adivasi peasants from their ancestral "Khudkati" lands just on eve of land settlement;

(b) whether the Adivasis made application to the Commissioner for Scheduled Castes and Scheduled Tribes; and

(c) if so, the action taken in the matter?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) No.

(b) Yes.

(c) The State Government have been requested to examine the matter further.

मध्य प्रदेश में सांयकालीन कामगर शिक्षा संस्था

*१०६७. **श्री म० ला० द्विवेदी** : क्या शिक्षा मन्त्री यह बताने की कृपा करेंगे कि :

(क) मध्य प्रदेश में कामगरों की शिक्षा के लिये स्थापित की गई सायंकालीन कामगर शिक्षा संस्था द्वारा कितने कामगरों को शिक्षित बनाया गया है; और

(ख) वर्ष १९६१ में संस्था के मन्त्रणा बोर्ड की कितनी बैठकें हुई और उनमें क्या मुख्य निर्णय किये गये ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : (क) अभी तक कोई नहीं, क्योंकि पहली साक्षरता कक्षा फरवरी, १९६१ में शुरू हुई थी और उसके पाठ्यक्रम की अवधि एक वर्ष की है।

(ख) अब तक दो। जहां तक मुख्य निर्णयों का सम्बन्ध है, इनका विवरण इस प्रकार है :—

कामगर संस्थान, इंदौर का कोई सलाहकार बोर्ड नहीं है। बोर्ड का नाम कामगर संस्थान बोर्ड, इंदौर है। १९६१ वर्ष में बोर्ड की पहली बैठक २० फरवरी, १९६१ को हुई थी और उस बैठक में जो मुख्य निर्णय किए गए थे वे इस प्रकार हैं :-

(१) बोर्ड ने शिक्षा मंत्रालय को भेजने के लिये १९६१-६२ के १,२१,४९२.०० रु० के अन्तिम बजट प्राक्कलनों का अनुमोदन किया।

(२) बोर्ड ने यह प्रस्तावित किया कि एक कार्यक्रम प्रशासक और दो समाज शिक्षा व्यवस्थापक होने चाहिएं। बोर्ड ने अन्य दफ्तरी अमले की आवश्यकताओं को भी अन्तिम रूप दिया।

(३) बोर्ड ने यह संकल्प किया कि मध्य प्रदेश वेतन समिति की वे सिफारिशें, जिनको मध्य प्रदेश सरकार ने स्वीकार कर लिया है, उसके कर्मचारियों पर भी लागू होंगी।

(४) व्यवस्थापकों और शिक्षकों के पूरे समय की नियुक्ति के प्रस्ताव को बोर्ड ने स्वीकार नहीं किया।

(५) कवि-गोष्ठियां, रामायण-पाठों, नाटकों तथा सांस्कृतिक उत्सवों आदि जैसे विभिन्न समारोहों के आयोजन पर होने वाले खर्च की अधिकतम सीमा बोर्ड ने निश्चित कर दी।

(६) बोर्ड ने संस्थान के लिए सिनेमा मोटर-गाड़ी की व्यवस्था के प्रस्ताव का अनुमोदन किया।

(७) बोर्ड ने सिफारिश की कि राष्ट्र भाषा प्रचार समिति, वर्धा के पाठ्य-क्रमों को अपना कर प्रारम्भिक स्तर की हिन्दी सिखलाने के लिये कक्षाओं का भी आयोजन किया जाये।

(८) बोर्ड ने पाठ्य-क्रम उप-समिति की सिफारिशों पर विचार किया और उप-समिति द्वारा स्वीकृत पाठ्य-क्रमों का अनुमोदन किया।

बोर्ड की दूसरी बैठक ५ अगस्त, १९६१ को हुई। अध्यक्ष द्वारा अनुमोदित बैठक की कार्यवाहियों का विवरण अभी तक प्राप्त नहीं हुआ है।

International Indian Ocean Expedition

***1069. Shri Raghunath Singh:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state whether India has agreed to participate in the proposed International India Ocean Expedition?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): Yes, Sir.

Amritsar Border

*1070. **Dr. Ram Subhag Singh:**
Shri P. G. Deb:
Maharajkumar Vijaya Ananda:

Will the Minister of **Home Affairs** be pleased to state:

(a) how many people have been arrested at Amritsar border for illegal entry into India from 1st January to 31st July, 1961; and

(b) how many of them have been sentenced?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) 100.

(b) 56.

Firing on Indian Troops in Katanga

*1071. **Shri Assar:**
Shri D. C. Sharma:
Shri Ram Krishan Gupta:
Shri Nagi Reddy:
Shrimati Mafida Ahmed:
Shri M. B. Thakore:
Dr. Ram Subhag Singh:
Shrimati Ila Palchoudhuri:
Shri Kalika Singh:
Shri P. G. Deb:
Shri K. B. Malvia:

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that there was a firing on Indian troops on the 17th July, 1961 by Katanga gendarmerie;

(b) if so, the details of the incident; and

(c) the action taken by the Government of India?

The Minister of Defence (Shri Krishna Menon): (a) Yes, Sir.

(b) On 17th July, Indian troops were manning a road check barrier at Niemba in North Katanga. Some Gendarmerie soldiers approached the barrier and tried to remove it. Indian troops tried to prevent them from doing so but the Gendarmerie opened fire against them. Our troops returned the fire. There were no casualties on the Indian side.

(c) No action by the Government of India is called for.

Soviet Botanical Experts

*1072. **Shri Tangamani:**
Shri Kunhan:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether six Soviet botanical experts visited centres like Coimbatore, Ooty, Poona and Bangalore during May, 1961;

(b) if so, the nature of study undertaken;

(c) whether any report has been submitted to Government; and

(d) whether the Chief Botanist of India was also associated with the study?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) The six Soviet Botanists visited different parts of India including Coimbatore, Ooty and Bangalore, but not Poona.

(b) They did not undertake any study. They came to collect specimens of Indian plants, seeds and seedlings with a view to their propagation and introduction in the U.S.S.R.

(c) No, Sir.

(d) Botanists from the Botanical Survey of India including the Chief Botanist accompanied the Soviet Botanist during their collection tours to different parts of India.

Drilling at Sertha

*1073. **Shri P. C. Borooah:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether drilling of the second well in Sertha has been taken up and if so, whether it has since been completed; and

(b) whether this well is found to contain good reserves of oil?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Preparations for drilling the second well at Sertha are in progress and drilling is expected to start very soon.

(b) Does not arise.

Archaeological Excavations in Egypt by Indian Team

*1074. **Shri Narasimhan**: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether any report has been received from the archaeological officers who were deputed to Egypt to do archaeological excavations;

(b) if so, whether a copy thereof will be laid on the Table;

(c) whether any sites have been assigned by the Egyptian Government to the archaeological officers from India for excavation works; and

(d) whether there is any proposal to send Indian Archaeologists this year to Egypt to conduct excavations and if so, when?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The exacavation has not yet started.

(c) Yes, Sir.

(d) Yes, Sir; in December, 1961.

Oil Refinery near Baroda

*1075. **Shri Yajnik**: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that thousands of acres of agricultural land are being acquired near Baroda for setting up of a Refinery and for the use of Allied-Petro-Chemical Industries;

(b) whether some villages will have to be completely removed from their original sites due to these acquisitions;

(c) whether a phased programme of acquisition cannot be adopted with a view to acquire lands when necessary for the other industries; and

(d) whether similar areas of alternative lands are not easily available near Baroda for setting up of these industries?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) A total area of 1974 acres (1374 for the refinery and 600 for township) has to be acquired for the refinery. A notification under Section 4 of the Land Acquisition Act has been issued by the Oil & Natural Gas Commission. This acquisition does not include land for Allied-Petro-Chemical Industries as no proposals in that behalf have yet been formulated.

(b) Yes, Sir.

(c) The Oil & Natural Gas Commission have only notified land required for the refinery and the township. Land required for other industries will be acquired only when necessary.

(d) No, Sir. The Site Selection Committee appointed by the Oil and Natural Gas Commission after going through all the aspects, consider the Koyali site as the most suitable for the purpose.

Enquiry in Military Secretary's Branch, A.H.Q.

*1076. **Shri Ram Krishan Gupta**: **Shri S. M. Banerjee**: **Shri P. G. Deb**: **Maharajkumar Vijaya Ananda**:

Will the Minister of **Defence** be pleased to refer to the reply given to Short Notice Question No 19 on the 5th May, 1961 and state:

(a) whether the enquiry about a matter dealt with in the Military Secretary's Branch has been completed, and

(b) if so, the result thereof?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) Yes, Sir.

(b) The Court of Enquiry was constituted to investigate how in a copy of

the annual confidential report on an officer, sent to him for his information, certain remarks came to be included when they were not in the original and certain remarks came to be deleted which were in the original. The Court of Enquiry could not come to a definite conclusion as to the identity of the person responsible for this lapse. They however *inter alia* pointed out that the Military Secretary was not helpful in the enquiry and had not given all the facts and information known to him regarding the case.

The Military Secretary who in the normal course was due to retire on 1st August 1962 applied for premature retirement with effect from 17th March 1962 with permission to avail himself of 8 months' leave pending retirement with effect from the 17th July 1961. As a result of the enquiry he was asked to go as soon as possible and he in fact left his post a week earlier than the date from which he had applied to go.

Committee on Moral and Religious Education

*1077. **Shri Nek Ram Negi:**
Shri Ram Krishan Gupta:
Shri D. C. Sharma:

Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 958 on the 20th April, 1961 and state:

(a) whether the Committee on Moral and Religious Education has completed its work on selection of suitable literature for moral and religious education at all stages of education; and

(b) if so, the details thereof?

The Minister of Education (Dr. K. L. Shrimali): (a) The work of selecting suitable literature has been taken in hand, but has not yet been completed.

(b) Does not arise.

Medium of Instruction in Delhi University

*1078. **Shri Chuni Lal:**
Shri Ram Krishan Gupta:
Shri Prakashi Vir Shastri:
Shri K. B. Malvia:

Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 977 on the 20th March, 1961 and state:

(a) whether Government have considered the proposal regarding the medium of instruction in Delhi University; and

(b) if so, the result thereof?

The Minister of Education (Dr. K. L. Shrimali): (a) The matter is still under consideration of the University Grants Commission.

(b) Does not arise.

Oil Installations

*1079. **Shri P. C. Borooah:**
Shri Ram Krishan Gupta:

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that the plan for oil installations at big ports and cities in the country by the Indian Oil Company has been finalised; and

(b) if so, the detils thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Yes Sir; only the plan covering the period ending 31st March, 1962 has been finalised.

(b) The target for construction of tankage capacities at main installations upto 31st March, 1962 is 236,500 tonnes at Bombay, Kandla, Cochin, Calcutta, Madras, Vizag, Siliguri, Shakurbasti, Barauni, Kanpur, and Dhanbad.

In addition, the plan provides for construction by 31st March 1962 of fifty inland bulk Depots, of which 35 will be minor depots with a capacity of 150 tonnes each and 15 major depots with a capacity of 500 tonnes each.

Commonwealth Education Conference

***1080. Shri Harish Chandra Mathur:** Will the Minister of **Education** be pleased to state:

(a) when and where the next Commonwealth Education Conference is to be held;

(b) whether it is going to be any different from the first one and whether other than educationists are to participate; and

(c) what came out of the first Conference?

The Minister of Education (Dr. K. L. Shrimali): (a) The Second Commonwealth Education Conference will be held in Delhi from the 11th to the 25th January, 1962.

(b) The Second Conference will be larger is scope in asmuch as it will review the progress made on the activities sponsored by the first Conference and make further plans in the light of the experience gained; the Conference will also consider in what other manner the arrangements for co-operation can be expanded.

The delegations will include educationists and others concerned administratively with education and educational policy.

(c) The following four-fold programme arose out of the first conference which all Commonwealth countries have been implementing:

(1) Scholarship|Fellowship Plan.

(2) Teacher Training Programme.

(3) Supply of Teachers.

(4) Development of Technical Education.

Scales of Pay of Staff of Technical Institutes

***1081. Shri T. B. Vittal Rao:** Will the **Minister of Scientific Research and Cultural Affairs** be pleased to state:

(a) whether the Government of Mysore State has expressed its inability to implement the revised scales of pay as recommended by the All India Council for Technical Education for the teaching staff of Technical Institutes;

(b) if so, what steps Government propose to take in this respect; and

(c) which are the other States which have not yet implemented the above scales of pay?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The final decision of the State Government is awaited.

(c) Madras, Kerala, Maharashtra, Gujerat, Uttar Pradesh, West Bengal, Bihar, Orissa and Jammu & Kashmir.

पुनर्नियुक्त भूतपूर्व सैनिकों के वेतन-क्रम

*१०८२. **श्री भक्त दर्शन :**
श्री स० मो० बनर्जी :

क्या **प्रतिरक्षा** मंत्री ८ मार्च, १९६१ के तारांकित प्रश्न संख्या ६४३ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि उन भूतपूर्व सैनिकों के सम्बन्ध में जो यद्यपि पेंशनर हैं, किन्तु पुनर्नियुक्त किये गये हैं, वेतन आयोग द्वारा अनुमोदित वेतन-क्रमों को लागू करने के बारे में क्या निश्चय किया गया है ?

प्रतिरक्षा उपमंत्री (श्री रघुरामैया) : प्रतिरक्षा संस्थाओं में असैनिक पदों पर पुनर्नियुक्त किये गये सभी सैनिक पेंशनरों को तन्खाह के निमित्त संशोधित दरों का लाभ देने के लिए, १६ मई, १९६१ को अस्थायी आदेश जारी कर दिये गये हैं ।

Caltex Oil Refinery

***1083. Shri Pangarkar:** Will the **Minister of Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No. 245 on the 22nd February, 1961, and state:

(a) whether the proposal to manufacture gas at Caltex Oil Refinery, Visakhapatnam for sale to the public has since been finalised; and

(b) if so, the details thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Not yet, Sir.

(b) Does not arise.

गुजरात राज्य में पाकिस्तानी

*१०८४. श्री प्रकाशवीर शास्त्री :
श्री खीमजी :
श्री पी० बं० शर्मा :
श्री जीनवन्द्रन :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि

(क) क्या यह सच है कि गुजरात राज्य में बहुत से पाकिस्तानी अवैध रूप से घुस आये हैं;

(ख) क्या यह भी सच है कि वे तस्कर व्यापार करने के अतिरिक्त वहां साम्प्रदायिक भावना को भी भड़का रहे हैं;

(ग) क्या यह सच है कि वे जूनागढ़ और कच्छ में जासूसी भी कर रहे हैं; और

(घ) यदि हां, तो सरकार इस सम्बन्ध में क्या कदम उठाना चाहती है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री दातार) : (क) पहली जनवरी से तीस जून, १९६१ तक की अवधि में १६१ पाकिस्तानी अवैध रूप से गुजरात राज्य में घुस आये ।

(ख) यह पता लगा कि १२ पाकिस्तानी तस्कर (Smuggling) व्यापार में लगे थे, परन्तु साम्प्रदायिक भावनाओं को भड़काने के सम्बन्ध में कोई नहीं लगा था ।

(ग) ऐसा कोई मामला ध्यान में नहीं आया है ।

(घ) सीमा पर सतर्कता तथा गश्ती दस्ते (Patrolling) की शक्ति बढ़ा दी गई है । अवैधानिक रूप से प्रवेश करने वालों के विरुद्ध भारतीय पासपोर्ट एक्ट १९२० (Passport Act) और विदेशी एक्ट, १९४६ (Foreigner's Act) के अधीन कार्यवाही की जा रही है तथा उन्हें देश से निकाला जा रहा है ।

Ankleshwar Oil

*1085. Shri Aurobindo Ghosal:
Shri B. Das Gupta:

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether any arrangement has been made to carry crude oil from Ankleshwar to Bombay refineries for expeditious refining;

(b) if so, whether the Railways have agreed to supply adequate number of tank wagons for transport; and

(c) if so, at what rate and whether the present rate of freight is economical?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Yes, Sir. The Ankleshwar crude oil will be transported to Bombay refineries by rail.

(b) and (c). The matter is still under negotiation with the Railway authorities.

Permanency in Defence Establishments

*1086. **Shri S. M. Banerjee:** Will the Minister of **Defence** be pleased to state:

(a) whether final orders regarding 80 per cent permanency of non-industrial and industrial staff in defence establishments have been issued;

(b) if not, the reason for the delay; and

(c) the steps taken by Government?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) General orders regarding the principle of conversion of temporary posts into permanent ones have issued. Specific orders authorising such conversions in certain Branches/Directorates have also issued. In respect of the rest, details are being worked out prior to the issue of such orders.

(b) Does not arise.

(c) Does not arise.

Training of Nigerian Technical Personnel

*1087. **Shri Ajit Singh Sarhadi:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether it is a fact that India has agreed to train Nigerian technical personnel; and

(b) if so, the nature of the training proposed and the details of the scheme?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir.

(b) The Nigerian Government has been asked to formulate detailed proposals in relation to the country's needs.

Expenditure by Government Departments

*1088. **Dr. Ram Subhag Singh:**
Shri P. G. Deb:
Maharajkumar Vijaya Ananda:

Will the Minister of **Finance** be pleased to state:

(a) whether any relaxation has been introduced regarding expenditure to be incurred by different Government departments; and

(b) if so, in which Ministries it is being introduced?

The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha): (a) and (b). A scheme for re-organising the present system of financial control is under consideration, which will be tried as an experimental measure in the Ministries of Commerce and Industry, Information and Broadcasting and Community Development and Cooperation and in the Department of Food. Mainly, it involves the devolution of more financial powers to administrative Ministries and by them to their Attached and Subordinate Office. The control of the Ministry of Finance would be exercised mainly through pre-budget scrutiny and reports received by them from Ministries, etc., through random checks and work studies.

Fertiliser Plant, Neyveli

*1089. **Shri Tangamani:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether a firm date has been fixed for the Fertiliser Plant in Neyveli to go into production;

(b) if so, what is that date; and

(c) the reasons for delay from the through random checks and work originally targetted dates?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Yes.

(b) Commercial production of urea will commence in June, 1963.

(c) Does not arise.

Rourkela Steel Plant

*1090. **Shri D. C. Sharma:** Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that Hindustan Steel Limited has entrusted the operation and maintenance of the hot strip and cold rolling mills of Rourkela to a 19-member world body of experts from America;

(b) the reasons for the same; and

(c) the terms of the contract?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh: (a) to (c). Yes, Sir. Hindustan Steel have entered into a contract with the American Consulting Corporation for providing 19 experts for a period of two years for the operation of the hot strip and cold rolling mills of the Rourkela Steel Works, on payment of Rs. 6.2 million. This was done because operating personnel with sufficient experience were not available either in India or in West Germany. The American firm who are specialists in the

running in of rolling mills are expected to get production to rated capacities in these mills during the period of their contract.

Fire in Survey of India Office, Dehra Dun

*1091. **Shri Ram Krishan Gupta:**
Shri Bhakt Darshan:
Shri P. G. Deb:
Dr. Ram Subhag Singh:
Maharajkumar Vijaya Ananda:
Shri P. C. Borooah:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to refer to the reply given to Starred Question No 1577 on the 18th April, 1961 and state:

(a) whether the enquiry into the fire which broke out in the Survey of India Office, Dehra Dun, has since been completed; and

(b) if so, with what result?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Yes, Sir.

(b) The Police could not fix the responsibility on any particular individual, as no direct evidence was available.

Admission Tickets for Taj and other Monuments

*1092. **Shri D. C. Sharma:**
Shri Ram Krishan Gupta:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to refer to the reply given to Starred Question No. 1811 on the 1st May, 1961 and state:

(a) whether Government have taken final decision on the proposal to introduce tickets for admission to Taj Mahal, Fatehpur Sikri, Akbar Tomb etc. at Agra; and

(b) if so, the nature of decision taken?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Yes, Sir.

(b) It has been decided to levy an admission fee of 20 Naya Paisa per adult of 15 years of age and above, for entry to the more important protected monuments in India including the Taj Mahal, Fatehpur Sikri, Akbar's Tomb etc. at Agra, with effect from the next financial Year.

Contributory Education Fund for Defence Personnel

*1093. **Shri Nek Ram Negi:**
Shri Ram Krishan Gupta:

Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No. 964 on the 20th March, 1961 and state:

(a) whether Government have since examined the scheme for a contributory education fund for Army, Navy and Air Force personnel; and

(b) if so, the result thereof?

The Minister of Defence (Shri Krishna Menon): (a) and (b). The Scheme for the education of the children of JCOs|OR|NCs(E) of the Army and of equivalent ranks in the Navy and Air Force is still under consideration of the Government.

Engineering Colleges and Polytechnics

*1094. **Shri T. B. Vittal Rao:**
Shri Ram Krishan Gupta:
Shri Nek Ram Negi:
Shri Liladhar Kotoki:
Shri Bibhuti Mishra:
Shri P. L. Barupal:
Shri K. B. Malvia:
Shrimati Maimoona Sultan:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether the scheme for opening new Engineering Colleges and Polytechnics during the Third Five Year Plan has been finalised;

(b) if so, the details thereof; and

(c) how many of the Regional Engineering Colleges proposed to be opened during the Third Plan period have actually started functioning?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). Under the State plans 10 Engineering Colleges and 67 Polytechnics are proposed to be established. The Central plan provides for a college in Delhi and eight Regional Colleges including one college sanctioned in the Second Plan but not started.

(c) Three Regional Colleges are proposed to be started this year for which the necessary preparations are in progress.

Sangeet Natak Akademi

*1095. **Shri Chuni Lal:**
Shri Ram Krishan Gupta:
Shri S. M. Banerjee:
Shri Agadi:
Shri Sugandhi:
Shri Assar:
Shri A. M. Tariq:
Shri D. C. Sharma:
Shri Raghunath Singh:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to refer to the reply given to Starred Question No. 984 on the 20th March, 1961 and state:

(a) whether the inquiry into the alleged irregularities in the accounts of Sangeet Natak Akademi has since been completed; and

(b) if so, the result of the enquiry?

The Minister for Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir.

(b) The Special Police Establishment has filed a charge sheet against three persons in the court of the Magistrate at Delhi on the 10th August, 1961.

Liaison between Defence Stores Production Units

*1096. **Shri Ajit Singh Sarhadi:** Will the Minister of **Defence** be pleased to state:

(a) how liaison is maintained in research and production matters between the Hindustan Aircrafts Ltd., Bangalore and the Aircraft Manufacturing Depot, Kanpur; and

(b) whether there is any over-lapping in the functions of these two units?

The Minister of Defence (Shri Krishna Menon): (a) Liaison is maintained through the Ministry of Defence and the Director of Technical Development and Production (Air).

(b) There is no over-lapping in the functions of the two Units, resulting in duplicated or infructuous effort.

Manufacture of Destroyers

*1097. **Shri S. M. Banerjee:** Will the Minister of **Defence** be pleased to state:

(a) whether destroyers are likely to be manufactured in India;

(b) whether any scheme has been chalked out in this connection; and

(c) if so, the details thereof?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) and (b). The construction of destroyers in India is under consideration. No scheme has yet been finalised in this connection.

(c) Does not arise at present.

Amendment of Sea Customs Act

2752. **Shri Ram Krishan Gupta:**
Shri Chuni Lal:

Will the Minister of **Finance** be pleased to refer to the reply given to Unstarred Question No. 1184 on the 8th March, 1961 and state:

(a) whether Government have considered the proposal to amend the Sea Customs Act; and

(b) if so, with what result?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The work of the amendment of the Sea Customs Act is still in progress.

Ex-Servicemen Association, Kapurthala

2753. { **Shri Ram Krishan Gupta:** / **Shri Chuni Lal:**

Will the Minister of **Defence** be pleased to refer to the reply given to Unstarred Question No. 4558 on the 4th May, 1961 and state:

(a) whether Government have since examined the representation received from Ex-servicemen Association, Kapurthala regarding increase in the pensions of military personnel of former State Forces; and

(b) if so, the result thereof?

The Minister of Defence (Shri Krishna Menon): (a) Yes, Sir.

(b) Government orders were issued on the 18th August 1961, enhancing with effect from the 1st April, 1958, the temporary increase in pensions of State Forces pensioners of erstwhile PEPSU State (including Kapurthala) to the rates admissible from the above date to civil pensioners of the Punjab Government.

State Social Welfare Advisory Boards

2754. { **Shri Ram Krishan Gupta:** / **Shri Chuni Lal:**

Will the Minister of **Education** be pleased to state:

(a) the steps taken or proposed to be taken to persuade the State Governments to entrust all the social welfare work in the States to the State Social Welfare Advisory Boards;

(b) the result thereof; and

(c) at what stage is the proposal to delegate more powers to them?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). None, because the State Social Welfare Advisory Boards have been set up by the State Governments and are under their control. It may be added, however, that the State Governments are free to entrust such social welfare work in the States to State Social Welfare Advisory Boards as they deem fit and the Government of Madras have already entrusted the entire programme of welfare of women and children in the State to the reconstituted State Social Welfare Advisory Board.

(c) The Central Social Welfare Board have decided to delegate further powers to State Social Welfare Advisory Boards and have, in the first instance, given them full powers (within certain limits) regarding Grants-in-Aid to voluntary organisations, in respect of one-year grants.

Indians Holding Assets in Foreign Countries

2755. { **Shri Ram Krishan Gupta:** / **Shri Chuni Lal:**

Will the Minister of **Finance** be pleased to state:

(a) the total number of Indians holding assets in foreign countries; and

(b) the total amount held by them?

The Minister of Finance (Shri Morarji Desai): (a) and (b). Attention is invited to the reply given to part (a) of Starred Question No. 145 on the 12th February, 1959. The Reserve Bank have not conducted any survey of India's Foreign Liabilities and Assets after 1955. However, the information on the subject as available from Exchange Control data is published regularly by the Reserve Bank of India in their monthly Bulletin. The latest article appears on pages 674—681 of the May, 1961 issue of that publication.

History of Freedom Movement in India

2756. **Shri Ram Krishan Gupta:**
Shri Chuni Lal:
Shri Daljit Singh:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the progress made so far in completion of the History of Freedom Movement in India; and

(b) when this work is likely to be completed?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). The work on the Second Volume is progressing and is expected to be completed next year. Thereafter, the work on the Third Volume will be undertaken and may take a year or so more for completion.

Hindi Encyclopaedia

2757. **Shri Ram Krishan Gupta:**
Shri Chuni Lal:

Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 1334 on the 5th April, 1961 and state:

(a) whether Government have considered the aim and policy of the Kashi Nagari Pracharini Sabha regarding use of international numerals in the Hindi Encyclopaedia; and

(b) if so, the result thereof?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). In consultation with the Nagari Pracharini Sabha, Varanasi it has been decided to adopt the following policy regarding the form of numerals to be used in the Hindi Encyclopaedia under preparation by the Sabha on behalf of the Government of India:—

(i) International form of Indian numerals must be used in all articles on scientific and technical topics and in scientific and technical formulae, equations etc. There would, however, be no objection to the use of Devanagari numerals in addition.

(ii) Devanagari numerals may be used in all non-technical matters.

Coal Council

2758. **Shri Ram Krishan Gupta:**
Shri Chuni Lal:

Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No. 1336 on the 5th April, 1961 and state:

(a) whether Government have since considered the remaining recommendations of the Coal Council; and

(b) if so, the result thereof?

The Minister For Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). The position in regard to the said recommendation is as follows:—

(i) The additional production of Coal during the III Plan, fieldwise and gradewise, has been allocated between the private and public sectors.

(ii) Details of coal transport plan are being worke out. Alternative modes of transport, such as movement of coal by waterways, by road by ropeways and through pipelines are being explored. In the meantime a scheme to move additional quantities of coal by coastal shipping has already been put into effect.

(iii) The proposal regarding the creation of coal dumps at selected places was taken up with the State Governments and the respective Railways. Dumps have already been set

up at Amritsar and Bhatinda in Punjab, and at Kanpur, Lucknow, Varanasi, Meerut City and Allahabad in Uttar Pradesh. Movement of coal to these dumps has started with effect from July, 1961.

Ex-Servicemen in Maharashtra

2759. Shri Pangarkar: Will the Minister of **Defence** be pleased to state:

(a) the number of ex-servicemen in Maharashtra as at the end of 1960 District wise; and

(b) how many of them have been usefully employed, District wise?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) and (b). The required information is not available. The only information available in this regard is the total number of ex-servicemen who have obtained employment in Government and Private service in the undivided State of Bombay and in Maharashtra. The figures in regard to the undivided State of Bombay from May 1951 to April 1960 and the State of Maharashtra from May 1960 to December 1960 were respectively 10,725 and 735.

Lok Sahayak Sena

2760. Shri Pangarkar: Will the Minister of **Defence** be pleased to state:

(a) the number of Lok Sahayak Sena camps held in Maharashtra during the year 1960-61; and

(b) the number of persons trained in them?

The Minister of Defence (Shri Krishna Menon): (a) 13.

(b) 6,371.

Junior Technical Schools in Maharashtra

2761. Shri Pangarkar: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) the number of Junior Technical Schools sanctioned during the Second Five Year Plan period for the Maharashtra State;

(b) whether any proposal has been received from the Maharashtra State Government in this regard; and

(c) if so, action taken thereon?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Nil.

(b) and (c). On the recommendations of the State Government, a Junior Technical School to be started by a private Society has been approved in the current year.

Geological Surveys in Madhya Pradesh

2762. Shri Pangarkar: Will the Minister of **Steel Mines and Fuel** be pleased to state:

(a) the names of the districts of Madhya Pradesh which were geologically surveyed during the last three years; and

(b) what were the findings as a result of such surveys?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) During the last three years, parts of the following districts of Madhya Pradesh were Geologically investigated.

Baster, Betul, Bhilsa, Bhopal, Bilaspur, Chattarpur, Chindwara, Damoh, Dewas Drug, Gwalior, Hoshangabad, Jabua, Narsinghpur, Nimar (Khana) Panna, Raison, Raigarh, Rewa, Shadol, Satna, Saugor, Surguja, Seoni and Sidhi.

(b) A brief summary of the investigations is incorporated in the Annual reports, copies of which are invariably sent to the Parliament Library, when published as Records of the Geological Survey of India. However an account of the progress made during the period as given in the Statement laid on the Table of the House. [*See* Appendix III, annexure No. 76].

Underground Mines of Korba Coalfields

2763. Shri Pangarkar: Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to

Unstarred Question No. 2149 on 23rd March 1961 and state:

(a) whether the project reports in respect of underground mines of the Korba coalfields have since been examined by the National Coal Development Corporation;

(b) if so, action taken thereon?

The Minister for Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). The Project Reports for two underground mines with a total capacity of 1.7 million tons of coal per annum, prepared by the Soviet Experts have been examined and accepted by the National Coal Development Corporation. These project reports are at present under consideration of the Government.

Shortage of Soft Coke in Maharashtra

2764. Shri Pangarkar: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is a fact that there is acute shortage of soft-coke in Maharashtra;

(b) if so, whether Government have received recently any complaints in this regard; and

(c) if so, action taken thereon?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (c). Occasionally, reports of shortages of soft coke in Maharashtra have been received. In consultation with the State Government, 225 wagons of soft coke have been allotted to be moved in block rakes every month. During the period January to June 1961 on the average 212 wagons per month have been moved. If the suggested supplies of nut coke from Bhilai, in part substitution for soft coke from Bengal|Bihar coalfields, could be availed of, the overall supply of domestic coke would be still better.

Pakistanis in U.P.

2765. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that infiltration of people without passports in Uttar Pradesh from West Pakistan has increased during 1960;

(b) whether it is a fact that many Pakistanis who entered Uttar Pradesh with passports, have remained in Uttar Pradesh in spite of the fact that the period of their validity has expired; and

(c) if so, the steps taken so far for the repatriation of those whose period of stay has expired and those who have entered without passports and also to stop the entry into Uttar Pradesh of unauthorised persons from West Pakistan?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) There has been no marked increase. As against 23 Pakistani nationals who were found without passports in 1959, the number of such persons was 35 in 1960.

(b) and (c). There are at present 1,064 such persons. Out of these, 383 have filed writ and civil suits. Suitable action for the prosecution and deportation of the rest is being taken under the Foreigners Act, 1946. Those who have entered India without passports are being prosecuted under the Indian Passport Act, 1920, and then sent back to Pakistan. An intensive watch is being kept to detect cases of illegal entry of Pakistani nationals into India.

Colonies for S. C. & S. T. in Punjab

2767. { Shri D. C. Sharma: / Sardar Iqbal Singh: / Shri Daljit Singh:

Will the Minister of **Home Affairs** be pleased to state:

(a) the amount year-wise given so far to Punjab by the Central Government for construction of colonies and

hutments for Scheduled Castes and Tribes during the Second Five Year Plan period;

(b) the number of families of Scheduled Castes and Tribes housed so far with Central Assistance; and

(c) the amount lapsed?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The required information has been called for from the State Government and will be laid on the Table of the House when received.

Central Schemes for the Welfare of S. C. & S. T.

2768. Shri D. C. Sharma: Will the Minister of **Home Affairs** be pleased to state:

(a) what were the Centrally sponsored schemes sanctioned for Punjab for the Welfare of Scheduled Castes and Scheduled Tribes in the State during the Second Plan Period;

(b) the progress so far made in the execution of these schemes;

(c) the total amount sanctioned for these schemes;

(d) whether the amount sanctioned has been fully spent; and

(e) if not, the reasons for not spending the amount fully?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (e). A statement is laid on the Table of the House. [*See* Appendix III, annexure No. 77].

Secondary Education in Punjab

2769. Shri D. C. Sharma: Will the Minister of **Education** be pleased to state:

(a) whether any financial assistance has been given to the Government of Punjab for reorganisation and promotion of secondary education in Punjab during the Second Five Year Plan period; and

(b) if so, the total amount allotted to Punjab during the Second Five Year Plan period for this purpose?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) During 1956-57 to 1959-60 Rs. 116.09 lakhs. During 1960-61 Central assistance was given for the programme of educational development as a whole. It is not, therefore, possible to give the break-up of this figure for different sectors of education during this year; the Central assistance given for general education as a whole was, however, Rs. 120.13 lakhs.

भारतीयों द्वारा रूस में स्नातकोत्तर अनुसन्धान

२७७०. **श्री क० भे० मालवीय :** क्या **वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि मंत्री महोदय को उनके रूस यात्रा के समय यह आश्वासन दिया गया है कि रूस में स्नातकोत्तर अनुसंधान की सुविधा भारतीयों को दी जायेगी; और

(ख) यदि हां, तो इस विषय में अभी तक क्या प्रगति हुई है ?

वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री (श्री हुमायूं कबिर) : (क) जी, हां ।

(ख) रूस की सरकार के साथ सांस्कृतिक समझौते के अनुसार १९६१-६२ में वैज्ञानिकों की अदला-बदली का कार्यक्रम मंजूर किया गया है । रूस की ऊंची पढ़ाई वाली संस्थाओं में इस साल पोस्ट ग्रेजुएट पढ़ाई और अनुसंधान के लिये भारतीय स्कालरों को दी जाने वाली ५० छात्रवृत्तियों का प्रस्ताव भी स्वीकार कर लिया गया है । इन के लिये चुनाव किये जा रहे हैं ।

बच्चों के लिये हिन्दी-कोष तैयार करना

२७७१. **श्री क० भे० मालवीय** : क्या **शिक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने बच्चों के लिये हिन्दी-कोष बनाने की कोई योजना बनाई है; और

(ख) यदि नहीं, तो क्या ऐसी योजना बनाई जायेगी ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : (क) जी, नहीं ।

(ख) इस आवश्यकता को गैर-सरकारी प्रयत्नों द्वारा पूरा किया जा सकता है । इसलिए ऐसी कोई योजना तैयार करने का विचार नहीं है ।

हिमाचल प्रदेश प्रशासन में हिन्दी का प्रयोग

२७७२. **श्री क० भे० मालवीय** : क्या **गृह-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि हिमाचल प्रदेश प्रशासन ने धीरे-धीरे हिन्दी में काम करने का निश्चय किया है; और

(ख) यदि हां, तो उसका ब्यौरा क्या है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री दातार) (क) जी, हां ।

(ख) हिमाचल प्रदेश प्रशासन ने सरकारी काम में हिन्दी के उत्तरोत्तर प्रयोग को सुगम बनाने के लिये निम्नलिखित कदम उठाये है :—

(१) हिन्दी में प्राप्त हुए पत्रों का यथासंभव हिन्दी में उत्तर दिया जाता है ।

(२) फाइलों पर यथासंभव हिन्दी में टिप्पण करने की आज्ञा दे दी गई है ।

(३) राजस्थान सरकार से यह फैसला हो चुका है कि हिमाचल प्रदेश प्रशासन उस राज्य सरकार को सब पत्र हिन्दी में भेजेगा ।

(४) हिन्दी न जानने वाले कर्मचारियों को कहा गया है कि वे एक साल के अन्दर हिन्दी सीखें ।

(५) अनुदेश जारी किये गये है कि प्रशासन के हर कार्यालय में कम से कम एक हिन्दी टाइपराइटर मौजूद हो ।

(६) फार्मों और रजिस्टरों के शीर्षकों (headings) में अंग्रेजी के साथ-साथ हिन्दी का प्रयोग किया जा रहा है ।

(७) यह अनुदेश जारी हो गये है कि सब विज्ञप्तियों (notifications) और आदेशों (orders) को हिन्दी में भी जारी किया जाये ।

'संस्कृत प्रतिभा'

२७७३. **श्री क० भे० मालवीय** : क्या **वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि साहित्य अकादमी द्वारा 'संस्कृत प्रतिभा' नाम की पत्रिका निकाली जाती है;

(ख) यदि हां, तो उसकी एक प्रति पर कुल कितना औसत व्यय आता है, और

(ग) उसके कितने ग्राहक है और उनसे कितना चन्दा प्राप्त होता है ?

वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री (श्री हुमायूं कबिर) : (क) जी, हां । छः माही प्रकाशन है ।

(ख) एक कापी की छपाई पर रुपये १.८० नये पैसे ।

(ग) ग्रीसतन दो सौ । सालाना चंदा ४ रुपये है ।

ग्राम चुनावों के परिणाम

२७७४. **श्री क० भे० मालवीय** : क्या **विधि** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि १९६२ के ग्राम चुनावों के परिणाम मार्च, १९६२ में घोषित कर दिये जायेंगे; और

(ख) यदि हां, तो राज्यानुसार इसके लिये क्या विशेष कदम उठाये गये है ?

विधि उपमंत्री (श्री हजरतवीस) : (क) १९६२ के साधारण निर्वाचनों के लिए मतदान और उसके परिणामों की घोषणा की तारीखें अन्तिम रूप से नियत नहीं की गई है । परन्तु यह ज्ञात हुआ है कि निर्वाचन आयोग ऐसी योजना बना रहा है कि कुछ बर्फीले निर्वाचन-क्षेत्रों को छोड़ कर, अन्य सभी निर्वाचन क्षेत्रों में मतदान १ मार्च तक और मतगणना तथा परिणामों की घोषणा का काम ५ मार्च तक पूरा करा लिया जाये ।

(ख) निर्वाचन तथा सहायक निर्वाचन पदाधिकारियों की अधिक संख्या में नियुक्तियां, बहतर संगठन और इस बात पर अधिक जोर कि काम तेजी से और शीघ्रता से किया जाये कुछ ऐसे कदम हैं जो इस प्रयोजन के लिए सभी राज्यों में उठाये गये हैं ।

पुलिस वालों के आचरण सम्बन्धी नियम

२७७५. **श्री क० भे० मालवीय** : क्या **गृह-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या प्रशिक्षण पाठ्य-क्रम में शामिल करने के लिये हाल ही में पुलिस के आचरण सम्बन्धी कुछ नियम तैयार किये गये हैं; और

(ख) यदि हां, तो उनका ब्यौरा क्या है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) (क) पुलिस में आचरण का स्तर ऊंचा हो इस हेतु कुछ मूलभूत सिद्धान्तों का समावेश एक चरित्र संहिता के रूप में किया गया और उसे राज्य सरकारों के पास उनके विचार के लिये १९६० के फरवरी माह में भेजा गया । प्रशिक्षण संस्थाओं में इन सिद्धांतों की शिक्षा दी जा रही है ।

(ख) पुलिस के आचरण-सिद्धांत की एक प्रति सभा-पटल पर रखी जाती है । [देखिये परिशिष्ट ३, अनुबन्ध संख्या ७८] ।

सरकारी कर्मचारियों को उपहार

२७७६. **श्री क० भे० मालवीय** : क्या **गृह-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने केन्द्रीय सरकार के कर्मचारियों द्वारा भेंट स्वीकार किये जाने सम्बन्धी नियमों में कोई परिवर्तन किया है; और

(ख) यदि हां, तो उसका ब्यौरा क्या है ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री दातार) : (क) जी, नहीं ।

(ख) प्रश्न ही नहीं उठता ।

हिन्दी में कार्य

२७७७. **श्री क० भे० मालवीय** : क्या **गृह-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) मंत्रिमंडल तथा सरकार के विभिन्न मंत्रालयों ने हिन्दी में कार्य करने के बारे में कौन-कौन से आदेश जारी किये हैं; और

(ख) क्या उनमें से प्रत्येक की प्रतिलिपि सभा-पटल पर रखी जाएगी ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) और (ख). इस विषय पर

जारी किए गए खास-खास आदेशों का एक सैट सभा-पटल पर रख दिया गया है [पुस्तकालय में रखा गया देखिये संख्या एल. टी.–३१७७।६१] । इन आदेशों के अनुसरण में विभिन्न मंत्रालयों द्वारा जारी किए गए कार्यकारी (Executive) अनुदेशों की प्रतियों को सभा-पटल पर रखना जरूरी नहीं जान पड़ता ।

भारत में आने वाले विदेशी राष्ट्रजन

२७७८. **श्री क० भे० मालवीय** : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) जून, १९६१ से जुलाई, १९६१ तक किन-किन देशों के कितने नागरिक तथा राष्ट्रमंडल के नागरिक भारत आये; और

(ख) इनमें से देशानुसार कितने अपनी अवधि से अधिक भारत में ठहरे ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) सूचना का एक विवरण सदन के सभा-पटल पर रख दिया गया है । [देखिये परिशिष्ट ३, अनुबन्ध संख्या ७६] ।

(ख) विदेशियों को दिय जाने वाल प्रवेश-पत्रों की सामान्य अवधि तीन माम की है । अतः भारत में आये बहुत से विदेशी अपने प्रवश पत्र में दिये गये अवधि के अनसार भारत में रहेंगे ।

हिन्दी जानने वाले अस्थायी कर्मचारी

२७७९. **श्री के० भे० मालवीय** :
श्री जगदीश अवस्थी :

क्या गृह-कार्य मंत्री यह बतान की कृपा करगे कि :

(क) भारत सरकार के विभिन्न मंत्रालयों और अन्य कार्यालयों में ऐसे कितने कर्मचारी (मंत्रालयवार) हिन्दी का काम कर रहे हैं जो जलाई, १९६१ के अन्त तक अस्थायी रूप से काम कर रहे थ; और

(ख) सम्बन्धित मंत्रालयों द्वारा उक्त कर्मचारियों को स्थायी बनाने के लिये अबतक क्या कार्यवाही की गई है ?

गृह-कार्य मंत्रालय में राज्य-मंत्री (श्री दातार) : (क) और (ख). सूचना एकत्रित की जा रही है और यथा समय सभा-पटल पर रख दी जाएगी ।

Fishing Vessels

2780. Shri Chintamoni Panigrahi: Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 583 on the 28th February, 1961 and state:

(a) whether the West Bengal Government have agreed not to send its fishing vessels for fishing near the sea coast of Orissa; and

(b) if not, what is the present position with regard to this?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The matter is still under examination of the two Governments.

Roads in Snow-Bound Areas of Ladakh

2781. Shri D. C. Sharma: Will the Minister of **Defence** be pleased to state:

(a) whether there is a proposal to build more roads in the snow-bound areas of Ladakh and Jammu and Kashmir; and

(b) if so, the details of the proposal?

The Minister of Defence (Shri Krishna Menon): (a) Yes, Sir.

(b) It is not in the interest of national security to disclose the details.

बच्चों के लिये बंगला शब्दकोष तैयार करना

२७८२. **श्री क० भे० मालवीय:** क्या **वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य** मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बच्चों के लिये बंगला शब्दकोष तैयार करने की एक योजना बनायी गई है ;

(ख) यदि हां, तो उसका ब्योरा क्या है ; और

(ग) क्या अन्य भाषाओं में भी इसी प्रकार के शब्दोकोष तैयार किये जायेंगे ?

वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री (श्री हुमायूं कबिर): (क) लेखक समन्वय समिति, लिमिटेड नाम की एक गैर-सरकारी एजेंसी को सरकार ने बच्चों का एक बंगला शब्दकोष तैयार करने के लिये मदद देने का वायदा किया है परन्तु इसके लिये सरकार की खुद कोई स्कीम नहीं है ।

(ख) समिति ने जो स्कीम बनाई है उसमें इलस्ट्रेशनों, साफ छपाई और बच्चों की जरूरत और रुचि को पूरा करने वाले शब्दों के चुनाव का खास ध्यान रखा गया है ।

(ग) और अर्जियों पर योग्यता के आधार पर विचार होगा ।

Discovery of Oil in Punjab

2783. Shri D. C. Sharma: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether oil has been found in any part of Punjab recently; and

(b) if so, when and where?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a). No, Sir.

(b) Does not arise.

Collection of Central Taxes and Duties from States

2784. Shri Sampath: Will the Minister of **Finance** be pleased to state the State-wise figures of the amount of central taxes and duties collected during the first two plan periods (annually)?

The Minister of Finance (Shri Morarji Desai): The required information is being collected and will be laid on the Table of the Sabha.

Collection of Import and Export Duties

2785. Shri Sampath: Will the Minister of **Finance** be pleased to State the amount collected by way of Export and Import duties during the first two Plan periods, State-wise and Port-wise?

The Minister of Finance (Shri Morarji Desai): The information is being collected and a statement will be laid on the Table of the Sabha.

Scheduled Castes in Manipur

2786. Shri L. Achaw Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Scheduled Castes of Leimram Khuzen in Manipur have been denied the facilities and concessions available to Scheduled Castes; and

(b) if so, the reasons therefor?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (b). The Manipur Administration have reported that there is no village of the name Leimram Khuzen in Manipur. However there is a village named Leimram Khunjao alias Khulen. There are no persons belonging to Scheduled Castes in this village and the question of denial of facilities and concessions to Scheduled Castes of this village does not arise.

Scheduled Castes Welfare in Manipur

2787. Shri L. Achaw Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the demand of the Scheduled Castes Advisory Board for Manipur for additional funds for Scheduled Castes Welfare for the Third

Five Year Plan has been examined by Government; and

(b) if so, whether the demand has been conceded to?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The demand is being examined in consultation with the Planning Commission.

Hire-Purchase in India

2788. Shri D. C. Sharma: Will the Minister of **Law** be pleased to refer to the reply given to Unstarred Question No. 2144 on the 23rd March, 1961 and state the latest position about the question of undertaking legislation relating to hire-purcase in India?

The Deputy Minister of Law (Shri Hajarnavis): The Government have since received the report of the Law Commission on th law of hire-purchase, which is under print. The question of undertaking legislation on the subject will be considered after Government have completed examination of the Report.

International Students House, New Delhi

2789. Shri D. C. Sharma: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to refer to the reply given to Unstarred Question No. 2167 on the 23rd March, **1961** and state:

(a) whether the master plan for the International Students House, **Delhi has made any progress towards finalisation; and**

(b) if so, when the construction will start?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). **The master plan for the International Students' House, Delhi has not yet been finalised.**

Durgapur Township

2790. Shri D. C. Sharma: Will the Minister of **Steel, Mines and Fuel** be **pleased to state:**

(a) the up-to-date progress made in the construction of Durgapur township work;

(b) what amount was allotted for this work; and

(c) what is the total amount spent so far?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) 85% of the work of construction of Durgapur Township has been completed. Till the end of July 1961, 5378 houses have been constructed. Water, electricity and sewage connections have been given to most of these houses. Construction of one hospital, seven hostels, four markets and 4 schools has been completed. Forty miles of roads have been laid.

(b) Rs. 172,990,000.

(c) Rs. 128,910,000.

Survey of Oil in Gulf of Cambay

2791. Shri D. C. Sharma:
Shri P. C. Borooah:
Dr. K. B. Menon:

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether it is proposed to undertake a seismic survey to assess the possibilities of off-shore drilling for oil in the Gulf of Cambay;

(b) whether it is also proposed to undertake structural drilling in Ghogha, a township about 12 miles from Bhavnagar in Gohilwad district of Gujerat;

(c) if so, the details of the above proposals; and

(d) the amount to be spent on each of them?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). **Yes, Sir.**

(c) The Oil & Natural Gas Commission propose to run reflection seismic profiles over the waters of the Gulf of Cambay to locate suitable structures for drilling. The seismic work is expected to be started in 1962.

A structural well is proposed to be drilled to a depth of 800 metres at a location about 1½ miles South-west of Ghogha.

(d) About Rs. 42 lakhs on seismic survey in the Gulf of Cambay and about Rs. 2·1 lakhs on structural drilling at Ghogha.

Staff Cars

2792. Shri D. C. Sharma: Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that expenditure on staff cars in various ministries of the Central Government is to be 'charged to permanent establishment';

(b) if so, the reasons for the same; and

(c) the total amount spent on staff cars during the year 1960-61 on their running, maintenance etc. in the various Ministries of the Central Government?

The Minister of Finance (Shri Morarji Desai): (a) and (b): Charges, which though they may vary from year to year, are nevertheless fixed in character, are normally classified as "standing charges". Accordingly, the expenditure on the running and maintenance of staff cars is normally classified as "standing charges". The pay and allowances of staff car drivers are classified as "standing charges" or as "new expenditure" depending on whether the posts held by them are permanent or temporary.

(c) The requisite information is being collected from the various Ministries/Departments and will be laid on the Table of the House, as soon as it becomes available.

Museum in Leh

2793. Shri D. C. Sharma: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether there is a proposal to set up a museum in Leh;

(b) the details of the proposal; and

(c) the amount to be spent on the same?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) No, Sir.

(b) and (c). Do not arise.

Mints at Hyderabad

2794. Shri Ram Krishan Gupta: Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that mints at Hyderabad and other places are lying idle since long;

(b) if so, from when;

(c) the reasons therefor; and

(d) the steps to be taken to start them?

The Minister of Finance (Shri Morarji Desai): (a) to (d). No, Sir. The Mints at Alipore, Bombay and Hyderabad have actually been working beyond the normal hours of work to cope with the demand for decimal coins.

Education of the Mentally Deficient Children

2795. Shri Ram Krishan Gupta: Will the Minister of **Education** be pleased to state:

(a) whether the experts committee appointed to study the problem of education of mentally deficient children in the country has submitted its report;

(b) if so, the recommendations made; and

(c) the action taken thereon?

The Minister of Education (Dr. K. L. Shrimali): (a) Not yet.

(b) and (c). Do not arise.

Mining Projects in Kashmir

2796. Shri Ram Krishan Gupta: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether the mining projects scheme for Kashmir during the Third Five Year Plan has been finalised; and

(b) if so, the details thereof?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). The Government of Jammu and Kashmir have proposed certain mining schemes during the Third Five Year Plan. The Planning Commission is yet to take a final view on them.

Gang of Sales Tax Evaders

2797. Shri Ram Krishan Gupta: Will the Minister of **Finance** be pleased to refer to the reply given to Starred Question No. 2814 on the 1st May, 1961 and state:

(a) whether the investigations regarding the figures of tax evasion by a gang of sales tax evaders have been completed; and

(b) if so, the result thereof?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The matter was entrusted to the Superintendent of Police, Criminal Investigation Department, Delhi, for investigation, who is still investigating the case.

Educational Facilities in Delhi

2798. Shri Ram Krishan Gupta: Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 1816 on the 1st May, 1961 and state:

(a) whether the report of the working group appointed to study the expansion of school and college education in the Capital has been considered by authorities concerned; and

(b) if so, the results thereof?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). While some of the authorities have intimated that the facts contained in the report will be taken into account in planning for future development, others have the report still under their consideration.

Implementation of Pay Commission's Recommendations

2799. Shri Ram Krishan Gupta: Will the Minister of **Finance** be pleased to refer to the reply given to Starred Question No. 1818 on the 1st May, 1961 and state:

(a) whether Government have examined the question of minimising anomalies in the application of various recommendations of the Pay Commission; and

(b) if so, the remedial measures proposed in the matter?

The Minister of Finance (Shri Morarji Desai): (a) and (b). The reply given to Starred Question No. 1818 on the 1st May, 1961 related to the particular recommendation of the Pay Commission regarding fixation of pay on promotion. Government have examined the position in this regard and general orders will be issued shortly.

Central Civil Services Rules

2800. Shri Ram Krishan Gupta: Will the Minister of **Finance** be pleased to refer to the reply given to Starred Question No. 1829 on the 1st May, 1961 and state:

(a) whether Government have considered the question to give protection to the persons who are going to suffer in their pay and allowances as a result of the amendments of the Central Civil Services (Revised) Rules, 1960 by relaxing the revised pay rules or by giving a date of option other than 1st July, 1959; and

(b) if so, the result thereof?

The Minister of Finance (Shri Morarji Desai): (a) and (b). Government have decided to give protection to the emoluments (i.e., basic pay and dearness allowance appropriate thereto) actually drawn on the 2nd August,

1960, the date on which the Central Civil Services (Revised Pay) Rules, 1960, were promulgated. The pay of persons promoted or appointed to other posts after the 1st July, 1959, will be fixed in the revised scales under the above rules and the difference between the emoluments actually drawn on the 2nd August, 1960, and the pay so fixed will be treated as personal pay to be absorbed in future increases in pay.

Manganese Mines in M.P.

2801. **Shri Ram Krishan Gupta:**
Shri Nek Ram Negi:
Shri Ajit Singh Sarhadi:
Shri Assar:
Shri Hem Barua:
Shri P. G. Deb:
Dr. Ram Subhag Singh:
Maharajkumar Vijaya Ananda:

Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Short Notice Question No. 7 on the 16th March, 1961 and state:

(a) whether Government have considered the applications received for renewal of manganese mining leases of Madhya Pradesh received both directly and from the State Government; and

(b) if so, the nature of decision taken thereon?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) and (b). The Central Government did not receive any reference from the Government of Madhya Pradesh for renewal of mining leases for manganese of the Central Provinces Managese Ore Co Ltd. The review applications filed by the firm on the failure of the State Government to dispose of their applications for renewal of leases within the prescribed time were however received and they were rejected.

Security Paper Mill, Hoshangabad

2802. **Shri Ram Krishan Gupta:**
Shri Nek Ram Negi:
Shri Birendra Bahadur Singhji:

Will the Minister of **Finance** be pleased to state the nature and details of progress made so far in setting up of a security paper mill at Hoshangabad, Madhya Pradesh?

The Minister of Finance (Shri Morarji Desai): The technical collaboration agreement with the foreign firm concerned is likely to be finalised in the near future. Meanwhile, land for the location of the mill and the residential colony has been acquired. Sanction for the construction of 176 quarters of the residential colony has been issued and plans and layouts for their construction are being prepared.

Sales Tax on Steel

2803 **Shri Ram Krishan Gupta:**
Shri Nek Ram Negi:

Will the Minister of **Steel, Mines and Fuel** be pleased to refer to the reply given to Starred Question No. 965 on the 20th March, 1961 and state at what stage is the proposal to convert the Central Sales-tax on steel into excise duty?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): The proposal is still under examination.

Disparity in Industrial Establishments

2804. **Shri Nek Ram Negi:** Will the Minister of **Defence** be pleased to refer to the reply given to Starred Question No. 756 on the 10th March, 1961 and state:

(a) whether Government have since considered the remaining recommendations of the Central Pay Commission in regard to removal of disparity in industrial establishments; and

(b) if so, with what result?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) and (b). The other recommendations of the Central Pay Commission in regard to leave entitlement of Industrial staff are still under the consideration of government in Ministry of Finance.

Aligarh Muslim University Enquiry Report

2805. { **Shri Ram Krishan Gupta:** / **Shri Chunj Lal:**

Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 90 on the 17th February, 1961 and state:

(a) whether Government have obtained views of the Executive Council of the Aligarh Muslim University on the enquiry report; and

(b) if so, the action taken thereon?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) The matter is under consideration.

Novel "Night Runners of Bengal"

2806. { **Shri Ram Krisnan Gupta:** / **Shri Kunhan:**

Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 4601 on the 4th May, 1961 and state:

(a) whether the Government of India have since examined John Master's Novel "Night Runners of Bengal";

(b) if so, the result thereof; and

(c) whether any action will be taken to proscribe this book?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The book is still being examined.

Central Bureau for Correctional Services in Delhi

2807. Shri Kodiyan: Will the Minister of **Home Affairs** be pleased to pleased to state:

(a) whether it is a fact that Government have decided to set up a Central Bureau for Correctional Services at Delhi; and

(b) if so, the constitution and functions of the Bureau?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) Yes.

(b) The Bureau is a Subordinate Office under the Ministry of Home Affairs with a Director in-charge. It will assist in co-ordination of policy in matters relating to the prevention of crime and treatment of offenders.

512-Army Workshop, Kirkee

2808. Shri S. M. Banerjee: Will the Minister of **Defence** be pleased to state:

(a) whether the appeals submitted by the 7 workers of 512 Army Workshop, Kirkee who were punished for participation in strike in July, 1960 have since been considered;

(b) if so, whether the quantum of punishment has been reduced; and

(c) if so, to what extent?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) Yes, Sir.

(b) No, Sir.

(c) Does not arise.

Strike by Defence Employees

2809. Shri S. M. Banerjee: Will the Minister of **Defence** be pleased to state:

(a) whether the appeals preferred by three workers of Ammunition Factory and High Explosives Factory, Kirkee whose services were terminated for taking part in the July 1960 strike have been considered;

(b) if so, whether the quantum has been reduced; and

(((c) if so, to what extent?

The Minister of Defence (Shri Krishna Menon): (a) Out of these three workers, two had submitted petitions which were examined and rejected.

(b) No.

(c) Does not arise.

आने और पैसे के सिक्के

२८१०. **श्री भक्त दर्शन :** क्या वित्त मंत्री ५ अप्रैल, १९६१ के अतारांकित प्रश्न-संख्या २८०१ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि आने और पैसे के सिक्कों को कब तक वापस ले लिया जायेगा ताकि फिर नये पैसे को पैसा घोषित कर दिया जाये ?

वित्त मंत्री (श्री मोरार जी देसाई) : ज्यों ही दशमलव प्रणाली के आवश्यक सिक्के काफी संख्या में तैयार हो जायें, आने और पैसे वाले सिक्कों का चलन से वापस लिया जाना शुरू हो जायगा । इस समय निश्चित रूप से बताना सम्भव नहीं कि ये सिक्के कब चलने से वापस लिये जायेंगे ।

भारत का राज्य बैंक

२८११. **श्री भक्त दर्शन :** क्या वित्त मंत्री ४ मई, १९६१ के अतारांकित प्रश्न-संख्या ४५५२ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) ३० जून, १९६० से अब तक उत्तर प्रदेश में भारत के राज्य बैंक की कितनी शाखायें और उप-शाखायें खोली गई ; और

(ख) अगले पांच वर्षों के लिए इस सम्बन्ध में जो विस्तार कार्यक्रम तैयार किया जा रहा था, उसके बारे में क्या निश्चय किया गया है ?

वित्त मंत्री (श्री मोरारजी देसाई) : (क) राज्य बैंक ने १ जुलाई १९६० से १५ अगस्त १९६१ तक उत्तर प्रदेश में ३ शाखाएं और ११ उप-कार्यालय खोले ।

(ख) राज्य बैंक ने अपने द्वारा स्थापित की गयी एक उप-समिति की यह सिफारिश मान ली है कि अपने सहायक बैंकों सहित, राज्य बैंक को १ जुलाई १९६० से ३० जून १९६५ तक की, पांच वर्ष की अवधि में ३०० केन्द्रों में शाखाएं खोलनी चाहिएं ।

विशिष्ट व्यक्तियों द्वारा विशेष विमान सेवा की व्यवस्था

२८१२. **श्री प्रकाश वीर शास्त्री :** क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विशिष्ट राष्ट्रीय अधिकारियों जैसे प्रधान मंत्री, गृह मंत्री और प्रतिरक्षा मंत्री के लिये विशेष विमान सेवा की व्यवस्था का प्रबन्ध है ;

(ख) गत चार वर्षों में कितनी बार उन्होंने इन सेवाओं का उपयोग किया और वे कहां-कहां गये ;

(ग) क्या यह भी सच है कि यदि विशिष्ट राष्ट्रीय अधिकारियों के अतिरिक्त अन्य व्यक्ति इन विमानों में यात्रा करें तो उन्हें किराया देना पड़ता है ;

(घ) यदि हां, तो क्या उन अन्य व्यक्तियों से किराया वसूल किया गया जिन्होंने इन विमानों में यात्रा की ; और

(ङ) यदि नहीं, तो कितने व्यक्तियों से किराया वसूल नहीं किया गया, और उसके क्या कारण हैं ?

प्रतिरक्षा मंत्री (श्री कृष्ण मेनन) : (क) से (ङ): राष्ट्रपति, उपराष्ट्रपति, प्रधान मंत्री, प्रतिरक्षामंत्री और अन्य अधिकृत व्यक्तियों के प्रयोग के लिए भारतीय वायुसेना के पास, एक वायुसेना मुख्यालय का कम्यूनिकेशन स्क्वाड्रन है । जब लोकहित में आवश्यक

हो, अथवा राज्य कार्य के लिए, या प्रकृति के प्रकोप के दौरान में देख रेख के लिए उड़ानों या दयनीय स्थितियों में सहायतार्थ इनमें अनधिकृत व्यक्तियों को भी ले जाया जा सकता है। इन विमानों का प्रयोग १९५३ में बनाए गए नियमों के अधीन होता है। इन नियमों के अधीन कई दशाओं में किराया वसूल करने का विस्तृत विधान भी है। जिन व्यक्तियों से किराया वसूल किया जाना था, कर लिया गया है।

Savings by the People

2813. { **Shrimati Ila Pa'choudhuri:**
Shri H. C. Heda:

Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that according to a recent survey of the National Council for Applied Economic Research, the people of India were saving at a rate greater than the Planning Commission had estimated;

(b) if so, its exact details; and

(c) whether a copy of the survey under reference will be placed on the Table?

The Minister of Finance (Shri Morarji Desai): (a) According to the National Council of Applied Economic Research the average rate of Savings in India was about 9 to 10 per cent of national income in 1957-58. There is no comparable estimate of saving made by the Planning Commission.

(b) The details are available in the monograph entitled 'Savings in India' published by the National Council of Applied Economic Research.

(c) The question does not arise since the monograph referred to is a public document and is available in the Parliament Library for reference.

Quarters for Women Teachers in Rural Areas

2814. Shrimati Renu Chakravartty: Will the Minister of **Education** be pleased to refer to the reply given to Unstarred Question No. 845 on 17th August, 1960 and state:

(a) the number of quarters constructed for women teachers working in rural areas in West Bengal;

(b) whether the Social Welfare Board has any funds at its disposal for this purpose;

(c) what is the total amount to be spent on this item by the Central Government in the Third Five Year Plan;

(d) how much has been allocated for this purpose in West Bengal; and

(e) whether it is a fact that the State Education Department are only permitting loans and no grants are available to institutions seeking to start such hostels for women teachers?

The Minister of Education (Dr. K. L. Shrimali): (a) 923.

(b) No, Sir.

(c) A total sum of approximately Rs. 367.35 lakhs has been included in all the State Plans. The pattern of Central assistance has not yet been finalised.

(d) According to the Plan received from the State, a sum of Rs. 2.88 lakhs has been included in the State Plan for 1961-62 for construction of quarters for women teachers.

(e) Both loans and grants are sanctioned by the State Government to start such quarters for women teachers. There is however no scheme for the construction of hostels for women teachers.

Sample Survey of Health of Students

2815. Shri Achar: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that a sample survey of students' health conducted

by the Board of Health, Calcutta University reveals that 77 per cent of the students suffer from some disease or other; and

(b) if so, whether the Government of India would consider the serious problem of students' health all over India, especially in view of the result disclosed by the survey of the colleges in Colcutta?

The Minister of Education (Dr. K. L. Shrimali): (a) No, Sir. The Sample Survey conducted by the Board of Health, Calcutta University, did not reveal that 77 per cent of the students suffer from some disease or other, although it did bring out the frequency of ill-health among college students.

(b) The Government of India have already appointed a School Health Committee under the Chairmanship of Shrimati Renuka Ray to assess the present standard of health and nutrition of School Children and to suggest ways and means of improving the health of students.

L.I.C. Investments in Foreign Countries

2816. Shri Damani: Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that Life Insurance Corporation has made investments in foreign countries;

(b) if so, the nature of the investments held by them as such during the last three years;

(c) whether any amount has been invested in land and building in foreign countries; and

(d) if so, the details thereof?

The Minister of Finance (Shri Morarji Desai): (a) Yes, Sir.

(b) Life Insurance Corporation's investments consist of Government securities, Municipal etc. securities, Debentures and Shares of Joint Stock Companies and Lands and Buildings.

(c) Yes, Sir.

Name of Building	Amount invested in Land and Building
1. Divisional Office Bilding at Nairobi.	Rs. 34 lakhs (Approximately).
2. Staff Quarters at Nairobi	Rs. 7·61 lakhs so far (The buildings are under construction).

P.L. 480 Funds

2817. Shri Morarka: Will the Minister of **Finance** be pleased to state:

(a) what part of the PL 480 funds are deposited with the foreign banks;

(b) whether there are any restrictions on such banks in respect of these funds;

(c) whether these banks are allowed to remit the profits they make on lending these funds; and

(d) if so, how much foreign exchange is involved?

The Minister of Finance (Shri Morarji Desai): (a) None.

(b) to (d). Do not arise.

Rupee Payments to Foreign Countries

2818. Shri Morarka: Will the Minister of **Finance** be pleased to state:

(a) what are the total rupee payments made during the years 1958-59 and 1959-60;

(b) the countries to which they have been made; and

(c) the purpose for which they are utilised here?

The Minister of Finance (Shri Morarji Desai): (a) to (c). A statement is attached. [*See* Appendix II, annexure No. 80].

Science Teachers

2819. Shri Ajit Singh Sarhadi: Will the Minister of **Education** be pleased to state:

(a) what steps are being taken to increase the number of science teachers with a view to give fillip to the study of science in Secondary Schools; and

(b) whether any Central Colleges are being opened for training of science teachers?

The Minister of Education (Dr. K. L. Shrimali): (a) The following steps are being taken:—

(i) Increasing the intake of students at B.Sc. and M.Sc. level for producing more Science Teachers.

(ii) Provision of condensed courses by the Universities.

(iii) In-service professional training.

(b) Training in Science is proposed to be one of the subjects in the proposed Regional Training Colleges.

Talks with 'Aid India Club'

2820. Shri Ajit Singh Sarhadi: Will the Minister of **Finance** be pleased to state:

(a) whether any schedule has been prepared for talk with 'Aid India Club' members individually to settle the details and nature of aid; and

(b) if so, the details of the schedule?

The Minister of Finance (Shri Morarji Desai): (a) and (b). No schedule as such has been prepared for talks with the 'Aid India Club' members. However, the matter is given the highest priority and negotiations have been and are being undertaken with the countries/institutions concerned. Out of the aid promised at the last Consortium meeting, loan agreements totalling $479.7 million (Rs. 228.4 crores) have been signed to-date.

उड़ीसा में निर्वाचन

२८२१. **श्री विभूति मिश्र :** क्या विधि मंत्री यह बताने की कृपा करेंगे कि :

(क) उड़ीसा में हाल में किये गये निर्वाचनों में कितने प्रतिशत मतदाताओं ने मत दिये ;

(ख) विभिन्न राजनैतिक दलों ने अलग-अलग कितने प्रतिशत मत प्राप्त किये ;

(ग) १९५७ के सामान्य निर्वाचनों की तुलना में विभिन्न दलों द्वारा प्राप्त किये गये मतों में कितनी कमी अथवा वृद्धि हुई ?

विधि उपमंत्री (श्री हजारनवीस) : (क) उड़ीसा में हाल में किये गए निर्वाचन में ३६.६० प्रतिशत मतदाताओं ने अपने मत दिए थे ।

(ख) और (ग) : ब्योरा इस प्रकार है :—

राजनीतिक दल	प्राप्त मतों की प्रतिशतता	१९५७ के साधारण निर्वाचन के परिणाम की तुलना में कमी या बढ़ती
		प्रतिशत
कांग्रेस	४३.२८	+५.०२
गणतंत्र परिषद्	२२.३४	—६.४१
प्रजा सोशलिस्ट पार्टी (पी०एस०पी०)	११.४०	+१.००
कम्युनिस्ट	७.९८	०.४२
अन्यदल और निर्दलीय	१५.००	+०.८१

राज्य शिक्षा विभाग के सचिवों का सम्मेलन

२८२२ { श्री प्रकाशवीर शास्त्री / श्री म० ला० दुबेदी / श्री हेम बरुआ }

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि सब राज्य सरकारों के शिक्षा विभागों के सचिवों का एक सम्मेलन जून के तीसरे सप्ताह में दिल्ली में हुआ था ;

(ख) यदि हां, तो क्या इस सम्मेलन में शिक्षा के बारे में कुछ विशेष निर्णय किये गये थे ;

(ग) क्या तीसरी पंचवर्षीय योजना की कालावधि में योजनाओं की कार्यान्विति के लिये इस सम्मेलन में कोई कार्यक्रम तैयार किया गया है ; और

(घ) यदि हां, तो वह क्या है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : (क) जी, हां ।

(ख) से (घ) सम्मेलन द्वारा की गई सिफारिशों का विवरण सभा पटल पर रख गया है (**पुस्तकालय में रखा गया देखिये संख्या एल टी-३१७८/६१**) ।

Jhumias in Tripura

2823. Shri Dasaratha Deb: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of Jhumia families who have received the rehabilitation aid in Tripura during the year 1960 and upto the 31st May, 1961;

(b) whether payment of Jhumias grants has been stopped at present; and

(c) if so, the reason therefor?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) The number of Jhumia families who received the rehabilitation aid in Tripura during the year 1960 and upto the 31st May, 1961 are as follows:—

(i) From 1st January to 31st December, 1960	3236 families
(ii) From 1st January to 31st May, 1961	2324 families.

(b) No.

(c) Does not arise.

D. M. College, Manipur

2824. Shri L. Achaw Singh: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the Principal of D.M. College, Imphal has been deputed by the Manipur Administration to U.K. for a study tour; and

(b) whether the air journey expenses to England and back are borne by the Manipur Administration?

The Minister of Education (Dr. K. L. Shrimali): (a) The Principal, D.M. College was granted permission to spend his vacations in U.K. as guest of the British Council which offered him facilities to visit Universities and Institutions in that country.

(b) No, Sir.

Chini-ka-Roza at Agra

2825. { Shri Bahadur Singh: / Shri Nek Ram Negi:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to refer to the reply given to Unstarred Question No. 698 on the 24th November, 1960 and state:

(a) the amount spent on chemical cleaning for restoration and preservation of paintings inside the mortuary chamber of Chini-ka-Roza, the tomb of Mirza Shakrullah Khan of Shirazi at Agra; and

(b) whether the work has been completed?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) Rs. 3,020.

(b) No, Sir.

Steel Allotment

2826. **Shri Bahadur Singh:**
Shri Nek Ram Negi:
Shri Khimji:

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether Government have made some relaxations regarding the allotment of steel for the first half year of 1961-62;

(b) whether some control on certain categories of steel and iron is still kept;

(c) if so, the name of such categories;

(d) the reason therefor; and

(e) whether any time-limit for indents is also fixed?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (d). From the first half year of 1960-61 the quota system of allotment of steel was relaxed for all controlled categories other than sheets (thinner than 14 gauge), wire and tinplates. Consumers and stockists can place indents for their requirements, for categories other than those mentioned above, without any quota certificate or authorisation. Actual consumers can also get their requirements direct from controlled stockists without any quota certificate or permit. The indents for relaxed categories are planned in full. No further relaxation has been made after the first half year of 1960-61. As the availability of restricted categories is still less than the total demand, further relaxations will be possible only when the supply position becomes easier.

(e) There is no time limit for submission of indents for relaxed categories, i.e. those other than sheets (thinner than 14 gauge), wire and tinplate.

Extradition of Indian Boy

2827. **Shri Ajit Singh Sarhadi:** Will the Minister of **Home Affairs** be pleased to state:

(a) under what circumstances was Michael Mohinder Dave Jonasson, son of Mr. Rajinder Prashad Srivastava, an Indian Scientist at Lucknow was given extradition by the U.P. State Government without taking legal opinion or asking the parties to obtain Court's order; and

(b) whether before giving extradition, the father of the child was informed or given notices of extradition proceedings?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Mikael Mahendra Dara Jonasson was born out of wedlock and was in the custody of his Swedish mother under the orders of a Swedish Court. Shri Rajinder Prasad Srivastava removed him from Sweden illegally and managed to bring him into India without proper travel documents. According to the Swedish law, the boy was a Swedish citizen by virtue of his birth in Sweden and being an illegitimate child born outside India he was not an Indian citizen under Section 4 of Citizenship Act, 1955. In view of the above, the child was asked to leave India and was handed over to the Swedish Embassy, Delhi, for being restored to the mother, his lawful guardian.

(b) Yes, all possible efforts were made to persuade the father to give back the child.

Manufacture of Tanks

2828. **Shri Ajit Singh Sarhadi:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that Avadi has been selected for the manufacture of Tanks;

(b) the reason for selecting Avadi; and

(c) what foreign collaboration has been obtained and on what terms?

The Minister of Defence (Shri Krishna Menon): (a) Yes, Sir.

(b) The reasons for selecting Avadi are:—

(i) Capital expenditure would be reduced due to the existing

Defence assets available at the site.

(ii) Ready availability of suitable land. Moreover, the purchase price including the development cost of the land will be comparatively less.

(iii) Since the railway spurs and roads are already available, movement of materials in the actual erection of the factory can commence at a much earlier date than at a new site.

(iv) Action on the initial phase of the project such as setting up of the facilities for training skilled craftsmen can be initiated without any undue delay due to the availability of temporary buildings.

(v) Proximity to a sea port facilitates easy transportation of materials initially imported

(vi) Proximity to a big town like Madras where a large proportion of staff and workmen can be expected to stay thus reducing expenditure on township for domestic accommodation.

(c) Information in this regard will be laid on the Table of the House after the date of publication of such information, which has been agreed by the two sides to the agreement as the understanding in respect of the contract.

Delhi Cantt. Employees

2829. Shri Ajit Singh Sarhadi: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact there has been a demand from the Cantt. employees, that their status and position be brought at par with Army Civil Personnel; and

(b) if so, what is the reaction of the Government of India on that demand?

The Minister of Defence (Shri Krishna Menon): (a) The Cantonment Fund Employees demanded that they be treated as Central Government employees.

(b) This demand along with other demands of the All India Cantonment Fund Employees' Federation was referred to the National Industrial Tribunal for adjudication. The Tribunal rejected this demand and the Government has accepted their decision. However, the scales of pay and other benefits admissible to these employees have been substantially raised in accordance with the Award of the Tribunal.

Border Defence Committee

2830. Shri Assar: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that Government have received report of the Border Defence Committee;

(b) if so, the main recommendation made by the Committee;

(c) the reaction of Government thereon; and

(d) whether Government have chalked out the programme for the implementation of the suggestions?

The Minister of Defence (Shri Krishna Menon): (a) to (d). It is Study Group (and not a Committee) appointed and functioning as part of the normal review necessary in such matters. The conclusions or recommendations of such a Study Group are considered by Government and where appropriate utilised. As their work and such reports as they make are confidential documents, it will not be in the public interest to disclose their recommendations on the floor of the House. In this connection, attention is invited to the reply given to Unstarred Question No. 4501 on 4th May, 1961.

Conference on Development of Education in Africa

2831. Shri Kalika Singh: Will the Minister of **Education** be pleased to state:

(a) whether India was invited to the Conference on Development of Education in Africa which was convened by UNESCO and was held at Addis Ababa in Ethiopia, between 15th and the 25th May, 1961;

(b) what were the criteria adopted by Unesco to extend invitations to attend the Conference and whether India consented to the same as member of U.N.O.;

(c) Whether India is interested in the Education of African and Asian brothers residing in Africa; and

(d) if so, the steps India is taking towards the same?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) While the African Member States and Associate Members of UNESCO were invited to appoint a legation each to participate in the Conference, all other Member States and Associate Members of UNESCO were invited, if they wished, to be represented at the Conference by one or more observers. The Government of India, being a Member State of UNESCO and having an interest in the development of education in Africa, decided to be represented at the Conference by an observer.

(c) Yes, Sir.

(d) The Government are operating a general scholarships scheme for studies and training in India under which scholarships are available to nationals and persons of Asian origin settled in various African countries. Fellowships are also available to African countries of the Commonwealth under the Commonwealth Scholarships Scheme in which India is participating. Government provide facilities for training of teachers from African countries under the Teacher Training Scheme and make the services of Indian teachers available for serving in African countries on requests made by the countries In addition, Government are also participating in the UNESCO's emergency programme for financial aid for development of education in Africa and have already made an offer of five fellowships for training of African university personnel in India.

Dowry Prohibition Act, 1961

2832. Shri Kalika Singh: Will the Minister of **Law** be pleased to state:

(a) what steps have been taken to appoint State officer's for purposes of sanctioning prosecution for offence of demanding Dowry under the Dowry Prohibition Act, 1961:

(b) whether cases have started under the Act in any State;

(c) what steps are being taken to make the Dowry Act fully effective; and

(d) the steps if any, taken to publicise the provisions of the Act throughout India?

The Deputy Minister of Law (Shri Hajarnavis): (a) Soon after the Dowry Prohibition Act, 1961, had been enacted, the State Governments and the Union territory administrations were requested to select officers for the purposes of sanctioning prosecution for the offence of demanding dowry under the Act. Intimation has been received from the seven State Governments mentioned below and the Delhi Administration that the following officers have been specified for the purpose:—

1. Andhra Pradesh	District Collectors within their respective jurisdictions.
2. Bihar	District Magistrates within their respective jurisdictions.
3. Madras	Registrar General of Births, Deaths and Marriages, Madras and all Registrars

	functionin under the Indian Registration Act, 1908, within their respective jurisdictions.
4. Maharashtra .	(a) Greater Bombay—Commissioner of Police. (b) Other areas—District Magistrates within their respective jurisdictions.
5. Orissa . .	Sub-Divsional Officers (Revenue) within their respective jurisductions.
6. Punjab . .	District Magistrates within their respective jurisdictions.
7. West Bengal	(a) Presidency Town of Calcutta Commissioner of Police, Calcutta. (b) Other areas—District Magistrates within their respective jurisdictions.
8. Delhi . .	District Magistrate, Delhi.

The other State Governments and Union territory administrations have been reminded about the matter and intimation from them is expected at any time.

(b) The Government has no information whether cases have started under the Act in any State. It may be mentioned here that the Act came into force only on the 1st of July, 1961.

(c) and (d). The Act has been published in the Gazette of India and in the Official Gazettes of the States. The principal provisions of the Act have been brought to the notice of the general public by two press notes issued respectively on the 22nd May, 1961, and on the 19th June, 1961. The Act has been translated into Hindi and the State Governments have been requested to get the Act translated into their respective regional languages.

List of National Monuments

2833. Shri Kalika Singh: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state whether a complete list of National Monuments finally approved by Government as on 1st July, 1961 will be laid on the Table?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): No, Sir, as it will be a long list. But any one disiring to see the list may do so in the office of the Archaeological Survey of India.

द्विभाषी चार्ट

२८३४. **श्री प्रकाश वीर शास्त्री:** क्या **शिक्षा** मंत्री यह बताने की कृपा करेंगे कि अब तक वर्णमाला के कितने द्विभाषी चार्ट तैयार किये जा चुके हैं और कितनों को तैयार करने का काम आरम्भ किया जा चुका है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) सात द्विभाषी वर्णमाला चार्टों को अन्तिम रूप दिया जा चुका है और पांच तैयार किये जा रहे हैं ।

हिन्दी में जनगणना रिपोर्ट

२८३५. **श्री प्रकाश वीर शास्त्री:** क्या **गृह-कार्य** मंत्री यह बताने की कृपा करेंगे कि क्या जनगणना रिपोर्ट अंग्रेजी के साथ साथ हिन्दी में भी प्रकाशित करने की व्यवस्था की गई है ?

गृह-कार्य उप-मंत्री (श्रीमती अल्वा): जनगणना विभाग द्वारा प्रकाशित किए जाने वाली जनगणना रिपोर्ट आंकड़े (statistics) मुख्य रूप से अंग्रेजी में होंगे, परन्तु आंकड़ों तथा परिणामों का सारांश हिन्दी में प्रकाशित करने का प्रयत्न किया जाएगा ।

बच्चों के लिये पुस्तकों का प्रकाशन

२८२६. **श्री प्रकाश वीर शास्त्री : क्या शिक्षा** मंत्री यह बताने की कृपा करेंगे कि :

(क) बाल पुस्तक न्यास ने सरकार की सहायता से अब तक बच्चों के लिये कितनी पुस्तकें प्रकाशित की हैं और

(ख) उनमें हिन्दी की पुस्तकें कितनी हैं ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : (क) और (ख). पुस्तकों के प्रकाशन के लिये बाल पुस्तक न्यास को कोई सहायक-अनुदान नहीं स्वीकृत किया गया है । न्यास ने अपना पहला प्रकाशन हिन्दी और अंग्रेजी में तैयार किया है और वह प्रेस में है ।

हिन्दी का प्रयोग

२८३७. **श्री प्रकाश वीर शास्त्री : क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य** मंत्री यह बताने की कृपा करेंगे कि

(क) उनके मंत्रालय और उससे संलग्न कार्यालयों में इस समय कितने अनुभाग हैं और उनमें कितने ऐसे अनुभाग हैं जिनमें हिन्दी जानने वालों की बहुसंख्या है ; और

(ख) कितने अनुभागों को हिन्दी में पत्रों के प्रारूप और टिप्पण प्रस्तुत करने की अनुमति दी गई है ?

वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री (श्री हुमायूं कबिर) : (क) क्रमशः १३० और ५४ ।

(ख) दो ।

शिक्षा मंत्री की पाकिस्तान यात्रा

२८३८. **श्री म० ला० द्विवेदी :** क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पाकिस्तान के शिक्षा मंत्री ने उन्हें पाकिस्तान की यात्रा के लिये आमंत्रित किया था ; और

(ख) यदि हां, तो इस सम्बन्ध में क्या निश्चय किया गया है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : (क) जी, हां ।

(ख) कोई निर्णय नहीं किया गया है ।

Aids to Backward Class Students

2839. Shri Kumbhar: Will the Minister of Education be pleased to state:

(a) whether it has come to the notice of the State and the Central Governments that the Scheduled Caste and Tribe students are not getting educational help from the States and Union Administrations by not getting admission in the recognised educational institutions under the States and Centre; and

(b) whether various State and the Central Governments propose to reserve any percentage of seats in the classes and hostels of various educational institutions of the private and public sectors from the lower primary to university stage for enrolment of of the Scheduled Caste and Tribe students?

The Minister of Education (Dr. K. L. Shrimali): (a) No, Sir, no such fact has come to the notice of the Govt. of India.

(b) A statement giving the required information in respect of institutions managed by the Ministry of Education is given below:

STATEMENT

Central Institute of Education, New Delhi.

20% of the seats are reserved for Scheduled Castes and Scheduled Tribes students. No provision for reservation of seats in the hostels has been found necessary in view of adequacy of seats.

Model School for the Blind Children, Dehradun.

20% of the seats are reserved for Scheduled Castes and Scheduled Tribes students.

Similar information regarding the institutions managed by the State Government/Administrations of Union Territories is being collected and a statement will be laid on the Table of the House in due course.

Capitation Fees

2840. Shri Jhulan Sinha: Will the Minister of **Home Affairs** be pleased to state :

(a) whether the attention of Government has been drawn to the levy of capitation fees in some States for admission of students from other States to the technical, agricultural and medical institutions; and

(b) if so, whether anything has been done to bring the position in those States in line with the fundamental right of common citizenship within the country?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) No such practice has been brought to the notice of Government in respect of Government institutions.

(b) does not arise.

भारतीय सैनिक अकादमी, देहरादून में अध्ययन के लिये छात्रवृत्तियां

२८४१. **श्री म० ला० द्विवेदी** : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि भारतीय सैनिक अकादमी, देहरादून में अध्ययन के लिये केन्द्र प्रशासित क्षेत्रों के लिये कितनी छात्र-वृत्तियां मंजूर की गई और कितनी मंजूर करने का विचार है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : भारतीय सैनिक अकादमी, देहरादून में अध्ययन के लिये केन्द्र प्रशासित क्षेत्रों के लिये शिक्षा मंत्रालय द्वारा कोई छात्र-वृत्ति नहीं दी जाती, न ही ऐसी छात्र-वृत्ति देने का विचार है ।

Asoka-Pillars in Champaran District

2842. **Shri Bibhuti Mishra:** Will the **Minister of Scientific Research and Cultural Affairs** be pleased to state:

(a) whether it is a fact that there are a few Asoka-pillars in the district of Champaran;

(b) if so, whether it is a fact that there is no local person to look after them to prevent any damage to be caused to them; and

(c) if not, what steps Government propose to take in this regard?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das). (a) Yes, Sir.

(b) No, Sir.

(c) The monument attendant posted at Nandangarh looks after the pillar at Lauriya Nandangarh besides the ancient mounds located there. At other places the pillars are looked after by the Sub-Overseer in charge of the area.

Revision of Passengers' Baggage Rules

2843. **Shri Khimji:** Will the Minister of **Finance** be pleased to state:

(a) whether the passengers' baggage rules have been revised from 1st January, 1961;

(b) the extent to which the result have been made strict as a result of the revision; and

(c) the total amount of duty collected by Government in the first half of 1961 from the passengers for importing articles exceeding Rs. 75?

The Minister of Finance (Shri Morarji Desai): a) Yes, Sir.

(b) The main differences are that under the old rules, each passenger could bring certain expensive articles such as one camera, one portable typewriter and two watches, provided they showed definite signs of use. This was in addition to the allowance of Rs. 500 for miscellaneous articles. Under the new rules, the allowance for miscellaneous articles ranges from Rs. 500 to Rs. 1,000 depending on the length of the passenger's stay abroad. Cameras, typewriters etc. do not get a separate exemption. At present no article in excess of Rs. 75 can be imported free of duty.

Previously jewellery worth Rs. 5,000 could ordinarily be imported free of duty under the rules, whereas under revised rules personal jewellery upto Rs. 2,000 only can be imported free of duty.

(c) It is not feasible to state the amount of duty collected only on articles brought in excess of Rs. 75, but figures of the total amount of duty recovered on articles brought as baggage are being collected and the information will be placed on the Table of the House.

Explosion in Khanpur Village near Delhi

2844. **Shri Assar:**
Shri Arjun Singh Bhadauria:
Dr. Ram Subhag Singh:
Maharajkumar Vijaya Ananda:

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that there was a bomb explosion on the 4th July, 1961 in Khanpur Village near Delhi and two boys were killed;

(b) if so, the details thereof; and

(c) whether any person was arrested in this connection?

The Minister of Defence (Shri Krishna Menon): (a) Yes, Sir.

(b) The local military authorities received information at 19·30 hours on the 4th July, 1961 that an explosion had occurred in the area of village Tughlakabad and that two boys, one aged 17 and the other 11, had been killed.

A Court of Inquiry was convened. Its report has not yet been received but is expected shortly.

(c) No, Sir.

Sulphur from Sea

2845. Shri Jhulan Sinha: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether his attention has been drawn to a communication published in the "Indian Nation" of Patna dated the 7th June, 1961 (latest morning edition) under the caption "Sulphur from the Sea";

(b) whether any attempt has been made on the lines suggested therein; and

(c) if so, with what result?

The Minister of Mines and Oil (Shri K. D. Malavia): (a) I have recently seen a copy of the communication published in the 'Indian Nation' of Patna dated the 7th June, 1961 under the caption "Sulphur from the Sea".

(b) & (c). Similar deposits have not so far been located either inland or off shore in India and therefore the question of making any attempt on the lines suggested does not arise.

Board of Visitors

2846. Shri Jhulan Sinha: Will the Minister of **Defence** be pleased to state:

(a) whether any decision has been taken regarding the proposal to form a Board of Visitors as recommended by

the Auchinleck Committee and comprising *inter alia* of Vice-Chancellors of Universities, Chairman and members of the University Grants Commission and similar other authorities including M.Ps. who have specialised in the educational field; and

(b) if so, the details thereof?

The Minister of Defence (Shri Krishna Menon):

(a) and (b). The Auchinleck Committee had contemplated a four year course at the NDA after which a diploma was to be given which would be recognised as equivalent to a Bachelor's Degree. It also appeared to be their recommendation that after completing the course it was not incumbent that the cadet must join the Armed Forces. In accordance with the decision taken by Government on the recommendations of the Auchinleck Committee, the National Defence Academy is a purely military establishment and prepares cadets for commissions in the Armed Forces. It is considered that a system of Board of Visitors is not suitable for military training establishments.

Assam Tribals

2847. { Shri P. G. Deb: Maharajkumar Vijaya Ananda:

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Assam Tribals face a new handicap to learn three scripts; and

(b) if so, the action taken by Government to avert this difficulty?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): (a) and (b). Under the 3 language formula, students in all parts of India have, ordinarily, to learn three languages in Secondary Schools. This, in most cases involves the learning of three scripts. It was agreed at the Conference of the Chief Ministers held recently that a common script for all Indian languages was desirable, and that this objective should be kept in mind and worked for.

Denotified Tribes in Punjab

2848. Sardar Iqbal Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether any amount has been sanctioned for 1961-62 to Punjab State for the uplift of denotified Tribes in that State;

(b) if so, the total amount; and

(c) if the reply to part (a) is in the negative, what are the reasons?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes, Sir;

(b) Rs. 2.35 lakhs; and

(c) Does not arise.

Defence of Himalayan Border

2849. Shri Harish Chandra Mathur: Will the Minister of **Defence** be pleased to state:

(a) whether Government are considering any proposal regarding reorientation of our policy and line of action in respect of the defence of Himalayan border area; and

(b) what is Government's reaction in the matter on a report by Dr. Ram Subhag Singh, M.P. and Prime Minister's visit to the area?

The Minister of Defence (Shri Krishna Menon): (a) Matters relating to defence of border areas are under constant review.

(b) Government are aware of the views of Dr. Ram Subhag Singh, who has been good enough to acquaint the Prime Minister and the Defence Minister of them.

Prime Minister visited NEFA in May, 1961. The object of the visit was largely to see certain road projects in the area.

Unclaimed Money in Indian Banks

2850. Shri Raghunath Singh: Will the Minister of **Finance** be pleased to state:

(a) whether over Rs. 3 crores are unclaimed in various Banking companies of India; and

(b) if so, what steps are being taken to utilise the unclaimed money?

The Minister of Finance (Shri Morarji Desai): (a) As on the 31st December, 1959 unclaimed deposits in banks aggregated to Rs. 3.41 crores.

(b) Although these deposits have not been claimed for ten years, there is no period of limitation on them and therefore, they are in law payable if and when claimed. The banks have in fact paid such amounts when satisfied about the claimants' title to them. The question of the money being utilised otherwise does not arise.

I.A.F. Dakota Crash in Congo

2851. Shri Raghunath Singh: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that an I.A.F. Dakota manned by Indian crew crashed at Tchikpa, Kasai Province in Congo and another aircraft of India was detained at Kikiwit—150 miles from Leopoldville; and

(b) if not, what is the factual position?

The Minister of Defence (Shri Krishna Menon): (a) and (b). The facts are as follows:

On 24th June 1961, a U.N. aircraft flown by Indian Air Force crew had to make a diversionary landing at Kikiwit due to the unserviceability of the radio equipment on the aircraft. Since the landing was unscheduled, the Congoiese National Army detained the aircraft there untill a representation was made by U.N. representatives in Congo and the crew were permitted to take off.

The aircraft involved in the accident of Tshikapa, which occurred on 29th June 1961, was also a U.N. aircraft, and it was being flown by an I.A.F. pilot. The pilot made a crash landing due to the failure of the starboard engine at low speed. The crew did not sustain any injuries.

No aircraft of the Indian Air Force was involved in either case.

Regional Engineering College, Rourkela

2852. Shri Supakar: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to refer to the reply given to Starred Question No. 481 on the 2nd March, 1961 and state:

(a) what further steps have been taken so far for the establishment of the Regional Engineering College at Rourkela; and

(b) when the construction of the college and the hostel buildings will commence?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) The State Government have expressed the wish to start an engineering college at Rourkela with effect from the current academic session under the 'Open Door Policy'. The earlier decision to start a Regional College therefore is under review.

(b) Detailed proposals in respect of this college are awaited.

National Physical Efficiency Drive

2853. Shri N. R. Muniswamy: Will the Minister of **Education** be pleased to state:

(a) what are the decisions taken in the Seminar held at Ootacamund on National Physical efficiency drive;

(b) what is the amount allotted for Third Five Year Plan period; and

(c) what is the experience gained so far by the Scheme?

The Minister of Education (Dr. K. L. Shrimali): (a) The main recommendations of the All India Seminar on

National Physical Efficiency Drive are as under:

(1) The National Physical Efficiency Drive should be a normal part of the physical education programme of educational institutions.

(2) No financial assistance need be paid to the States for the Testing Centres as such. A suitable block grant may, however, be given to the State Governments to be utilised for:

(i) the organisation and conduct of Orientation Courses for the personnel selected to conduct the Tests and

(ii) in exceptional cases to meet the cost of equipment that may be required for the centres in Rural Areas.

(3) Apart from educational institutions, the Testing Centres may be organised by Industrial Establishments, Chambers of Commerce, Police Organisations, Railways, Posts and Telegraphs, Defence Services, State Sports bodies, Community Development Blocks, *Vyayamshalas*, Municipal Corporations, Municipal Committees, Social Service Agencies etc.

No restriction should be imposed on the number of Testing Centres to be opened in the States.

(4) The period from the 19th to 21st January, every year should be reserved for the Drive.

(5) The 1961-62 Drive should be conducted on the basis of the existing 'Test Battery' but a few items *e.g.*, Cycling, P.T. Tables, *Suryanamaskars*, Yogic *Asanas* and Bouncing of Tennis Ball should be dropped out.

(6) The Drive during 1962-63 and onwards should be conducted on the basis of revised Tests Battery as well as revised age-groups. There should be 5 age-groups (as against 2 at present) ranging from 15 to 36 years and above, with two alternatives 'Testing-Tables', one each for men and women, with a view to ensuring a more precise assessment of standards.

The standards for the various Tests should be fixed after collecting sufficient data in respect of the actual performance of participants.

(7) The personnel to be incharge of the various Testing Centres should be given training at 3-day Orientation Courses which should be organised by the State Governments.

(8) The States should be requested by the Government of India to nominate an Officer to be incharge of the Drive at the State level and with whom the Government of India could correspond directly to cut down administrative delays.

(9) Every year, a function should be arranged in the Capital on Independence Day to which six of the best performers from each State should be invited and 50 'National Awards' should be instituted for this function.

(10) Scholarships and/or employment opportunities in services like Defence, Railways, Posts and Telegraphs etc., should be offered to those who are found to have outstanding potentialities in special fields and the National Efficiency Drive should be utilized for 'spotting outstanding sports talent' especially in rural areas.

(11) Preparation of 16 mm films, printing of pamphlets etc., in Regional languages, publicity through All India Radio, and the issue of Commemorative Postal stamps should also be taken up to publicise the 'Drive'.

(b) Rs. 10,00,000.

(c) The 1959-60 Drive was quite successful in so far as over 44,000 participants won the awards. The response from the State Governments to the revised pattern of the Scheme for 1960-61, in which no grants were to be claimed from the Government of India and the Tests were to be held four times a year, was not very encouraging.

It is hoped that the Scheme, as now being revised, would be found acceptable to all concerned and will arouse country-wide interest. The next Drive will be held in January, 1962.

दिल्ली नगर निगम

२८५४. **श्री नवल प्रभाकर** : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) सरकार ने तीसरी पंचवर्षीय योजना में ऋण के रूप में दिल्ली नगर निगम के लिये कुल कितनी राशि मंजूर की है ; और

(ख) इसी कालावधि में कितनी राशि का अनुदान दिया जायेगा ?

गृह-कार्य मंत्रालय में राज्य मंत्री (श्री दातार) : (क) तथा (ख) सूचना इकट्ठी की जा रही है और सभा पटल पर रखी जाएगी ।

Jammu and Kashmir

2855. Shri Balraj Madhok: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of persons who came over from the other side of cease-fire line or from Pakistan and who had been allowed to settle in the Jammu and Kashmir State;

(b) the number of persons who crossed into India during the last one year and who have been allowed to stay in Jammu and Kashmir State 'till further orders';

(c) under what law have these illegal immigrants and infiltrators been allowed to stay in Jammu and Kashmir State; and

(d) whether it is a fact that many of them have been acting as Pakistani agents and spies in that State?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (d). The Jammu and Kashmir Government have been requested to furnish the desired information which will be placed on the Table of the House when received.

***Khas* Land in Tripura**

2856. Shri Dasaratha Deb: Will the Minister of **Home Affairs** be pleased to state:

(a) whether any *nazarana* has been fixed for giving settlement of *Khas* (Government) land in Tripura;

(b) if so, the rate of such *nazarana;*

(c) whether such rates are high as compared to the existing rates;

(d) if so, the reasons for enhancement of rate of *nazarana;* and

(e) whether any eviction has taken place for failure to pay *nazarana*?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (d). No new rates of premium for the settlement of *Khas* (Government) land have so far been fixed. These are, however, expected to be fixed shortly under the Tripura Land Revenue and Land Reforms Act, 1960.

(e) No.

Interest on World Bank Loan

2857. Shri N. R. Muniswamy: Will the Minister of **Finance** be pleased to state:

(a) whether it is a fact that the World Bank conveyed to the Government of India that the rate of interest chargeable will be the one prevailing at the time of actual disbursement of the loan and not at the time of its sanction;

(b) if so, whether it will mean larger burden and will hinder planning; and

(c) what were the compelling reasons for such a change in policy?

The Minister of Finance (Shri Morarji Desai): (a) The rate of interest is specified in the loan agreement itself except for loans to development banks like Industrial Credit and Investment Corporation of India where the rate of interest is determined separately for each sub-loan according to the rates applicable to

Bank loans of same type and maturity at the time of sanctioning the sub-loan. Even in this latter case the rate of interest is not dependent on the rate prevalent at the time of actual disbursement.

(b) and (c). Do not arise.

Grants to Utkal University

2858. Shri Chintamoni Panigrahi: Will the Minister of **Education** be pleased to state:

(a) the grants given by the University Grants Commission to the Utkal University during 1960-61 and 1961-62 so far; and

(b) the number of scholarships for research granted to the students of the Utkal University during 1960-61 and 1961-62 so far by the Commission?

The Minister of Education (Dr. K. L. Shrimali): (a) 1960-61—Rs. 3,46,421·43 nP.

1961-62—Rs. 2,47,991·18 nP. (up to 31-7-1961).

(b) 1960-61—Three.

1961-62—The Scheme for award of scholarships for research was transferred from the Commission to the Ministry of Education with effect from 1st April, 1961. No scholarship has since been awarded to students of the Utkal University.

Cases Instituted in Delhi Courts Against Delhi Administration

2859. Sardar Iqbal Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) the total number of cases instituted in the courts by the employees and the public against Delhi Administration during 1958-59, 1959-60 and 1960-61;

(b) the number of cases in which the decision of the court went against Government; and

(c) the total amount of costs involved in defending these cases?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The information is being collected.

Ex-Servicemen in Punjab

2860. Sardar Iqbal Singh: Will the Minister of **Defence** be pleased to state:

(a) the number of ex-Servicemen (mainly ex-military) in Punjab;

(b) the number of such ex-Servicemen rehabilitated by Government on land or otherwise;

(c) the number of ex-Servicemen who made petitions for rehabilitation, but did not get any; and

(d) the steps taken to rehabilitate them?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) and (c). The information is not available. The time and effort which will have to be spent in obtaining this information will not be commensurate with the results.

(b) and (d). A Statement is laid on the Table of the House. [*See* Appendix III, annexure No. 81].

Murders in Delhi

2861. Sardar Iqbal Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) the number of murders committed in Delhi during the months of April, 1961 to August, 1961; and

(b) the causes thereof?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a). 20 (upto 15th August, 1961).

(b)

Previous enmity	5
For reasons connected with sex	4
Domestic reasons	2
Miscellaneous	6
Cases in which causes are not known	3
Total	20

Bhutanese Students in India

2862. **Sardar Iqbal Singh:** Will the Minister of **Education** be pleased to state:

(a) the number of Bhutanese students studying in India at present; and

(b) the number of such students in each university, separately?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). The information is being collected and will be placed on the Table of the Sabha as soon as available.

Collections in Ferozepore under Small Savings Scheme

2863. **Sardar Iqbal Singh:** Will the Minister of **Finance** be pleased to state the total amount collected under the Small Savings Scheme during 1960-61 in Ferozepore District in Punjab?

The Minister of Finance (Shri Morarji Desai): Rs. 45·14 lakhs approximately.

Entrance Fee at Red Fort, Delhi

2864. { **Sardar Iqbal Singh:** / **Shri Daljit Singh:**

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether it is a fact that entrance fee is collected at Red Fort, Delhi;

(b) if so, the amount collected during 1960-61;

(c) whether it is a fact that certain fees are collected for shooting films inside the fort;

(d) if so, the amount collected on that account during 1960-61; and

(e) the amount of expenditure for the maintenance of the fort during 1960-61?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr M. M. Das): (a) Yes, Sir.

(b) Rs. 1,28,461·24 Naya Paisa.

(c) No, Sir.

(d) Does not arise.

(e) Rs. 47,382 approximately.

Development of Lahaul and Spiti

2865. **Sardar Iqbal Singh:** Will the Minister of **Home Affairs** be pleased to state:

(a) the amount of financial assistance given in the year 1961-62 for the development of the Border District of Lahaul and Spiti in the Punjab; and

(b) what is the percentage of expenditure that is borne by the Central Government and what percentage is borne by the State Government.

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The outlay for the Third Five Year Plan for the border District of Lahaul and Spiti has been fixed at Rs. 134 lakhs. The Government of Punjab have framed an annual Plan of Rs. 30·41 lakhs for 1961-62 for this area. Financial assistance of this outlay will be given in the following manner:—

(i) Outlay of Rs. 28·5 lakhs representing the normal expenditure which the State Government may be expected to incur on the development of this area—50 per cent. loan.

(ii) Balance of Rs. 105·50 lakhs—75 per cent grant and 25 per cent loan.

The amount of financial assistance to be given in 1961-62 will depend upon the actual expenditure incurred by the State Government during that year.

Coal for Small Scale Industries in Punjab

2866. Sardar Iqbal Singh: Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) whether the Government of Punjab have requested that the quota of coal for the Small Scale Industries be increased;

(b) if so, the quantity of coal demanded;

(c) the decision taken by Government thereon;

(d) whether Government are contemplating to allot more coal to Punjab on account of its industrial backwardness; and

(e) if so, when the increased allotment of coal would be sanctioned?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (c). Yes. A request was received from the State Government for an increase of 72 wagons per year in the quota for Small Scale Industries by adjustment against the quota for ice and that was acceded to.

(d) and (e). The present allocations have been made in consultation with the State Government, and this has been done keeping in view what can be actually moved. Any increase in this allotment is not possible. But Government's efforts would be that the present planned movement fully materialises.

International Conference of Orientalists in Delhi

2867. Sardar Iqbal Singh: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether an International Conference of Orientalists will meet in Delhi;

(b) if so, when;

(c) the names of the countries and institutions attending this conference; and

(d) the matters to be discussed in this conference?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) and (b). Yes, Sir. The 26th session of the International Congress of Orientalists will be held at New Delhi in 1963.

(c) It is hoped that all countries and institutions interested in such studies may attend.

(d) Subjects connected with the following studies:

1. Egyptology.
2. Semitic Studies—
   (a) Babylonia, Assyria, etc.
   (b) Hebraic Studies
3. Hittite and Caucasian Studies.
4. Altaic Studies including Turcology.
5. Iranian Studies.
6. Indology.
7. South-East Asian Studies.
8. Far Eastern Studies.
9. Islamic Studies.
10. African Studies.

Women Trainees in Mountaineering Courses

2868. Sardar Iqbal Singh: Will the Minister of **Defence** be pleased to state:

(a) whether women are being trained in mountaineering courses at Darjeeling; and

(b) if so, the number of women trained so far?

The Minister of Defence (Shri Krishna Menon): (a) Yes, Sir.

(b) In December, 1960 seven girls were sent on a 80 mile mountaineering trek in Sikkim, followed by rock climbing training in Darjeling. In April-May 1961 a Special Basic Course was run by the Himalayan Mountaineering Institute at which twenty-four girls were trained in mountaineering.

Setting up of more Colleges in Delhi

2869. Sardar Iqbal Singh: Will the Minister of **Education** be pleased to refer to the reply given to Starred Question No. 195 on the 9th August, 1961 and state the details of the proposal for setting up of two more colleges in Delhi for general education?

The Minister of Education (Dr. K. L. Shrimali): Detailed information in

respect of the two new colleges started this year is as follows:—

Name of the college	Preparatory Arts)		B.A.(Pass) 1st Year	
	No. of seats allotted	*Subjects to be taught*	*No. of seats allotted*	*Subjects to be taught*
1. Sri Venkateswara College New Delhi (Co-educational	180	English, Hindi, Mathematics, Economics, History and Civics	150	English, Hindi Tamil, Telugu, Mathematics, Economics, History, and Political Science.
2. W.A.F. Memorial Shivaji College, Najafgarh, New Delhi.	120	English Hindi, Sanskrit, Economics, Civics, History, Commerce Bookkeeping and Accountancy.	120	History. Economics, Philosophy, Sanskrit, English, Commerce, Political Science and Hindi

Asian Historians' Conference in Delhi

2870. **Sardar Iqbal Singh:**
Shri Muhammed Elias:

Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether the Asian historians will meet at a conference in Delhi,

(b) if so, when; and

(c) the names of the countries invited and the names of the countries who have accepted the invitation so far?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) Yes, Sir.

(b) 9th to 13th December, 1961.

(c) No countries have been invited and as such the Question of their acceptance does not arise.

Discovery of Images near Bhavnagar

2871. **Shri D. C. Sharma:** Will the Minister of **Scientific Research and Cultural affairs** be pleased to state:

(a) whether it is a fact that 188 images of Jain divinioties have been discovered in a substerranean recess in the Navakhanda Jain sanctuary of Ghogha near Bhavnagar; and

(b) if so, the details of the discovery?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) and (b). Government have no information about this.

Retirement of Military Secretary in Army H.Q.

2872. **Shri Rajendra Singh:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the Military Secretary at Army Headquarters has been relieved a week earlier before his retirement date; and

(b) what are the reasons that led to relieve him before his actual retirement?

The Minister of Defence (Shri Krishna Menon): (a) and (b). In June 1961, the then Military Secretary had applied for leave preparatory to retirement with effect from 17th July, 1961, and retirement from 17th March 1962 instead of 31st July, 1962 when he was normally due to retire. He was relieved of his post one week earlier than the date suggested by him, as a result of the proceedings of a Court of Inquiry concerning his branch.

Commonwealth Advisory Committee on Defence Science at London

2873. **Shri Kalika Singh:** Will the Minister of **Defence** be pleased to state:

(a) the names of countries represented at the Conference of the Commonwealth Advisory Committee on Defense Science at Lancaster House, London;

(b) the theme of the speech made at the Conference by the head of the Indian delegation to the Conference;

(c) whether subjects relating to standardization of small arms, and the scientific aspects of anti-submarine warfare were discussed at the Conference; and

(d) whether the U.K. Defence Minister in his speech on the 17th July, 1961 called upon the members to equip the free nations against communist countries?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) The countries represented at the Conference were: Australia, United Kingdom, India, Malaya, New Zealand, Nigeria, Pakistan, Rhodesia and Nyasaland. U.S.A. was represented by an observer.

(b) Dr. A. S. Bhagavantam, Scientific Adviser to the Minister of Defence was the leader of the Indian delegation. The speech was, however, delivered by Major-General B. D. Kapur who emphasised the need for collaboration in the field of Defence Science amongst the Commonwealth countries.

(c) The subjects discussed were confidential.

(d) Official report on the Conference is awaited.

C.H.S. Scheme for Employees of Oil and Natural Gas Commission

2874. Sardar Iqbal Singh: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that health contributory scheme has been introduced by the Oil and Natural Gas Commission for its employees;

(b) if so, the main features of this scheme;

(c) whether other undertakings of Government of India will also introduce similar schemes for its employees; and

(d) if so, when?

The Minister of Mines and Oil (Shri K. D. Malaviya): (a) Yes, Sir, for the Commission's employees posted at its Headquarters in Dehra Dun.

(b) The Scheme is based on the pattern of the C.H.S. Scheme applicable to the Central Government Employees in Delhi.

(c) and (d). This is a matter for decision by the managements of the undertakings concerned.

साहित्य अकादमी की हिन्दी में पत्रिकायें

२८७५. **श्री क० भे० मालवीय :** क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि साहित्य अकादमी कोई साहित्यिक पत्रिका हिन्दी में नहीं निकालती;

(ख) यदि हां, तो क्या ऐसी कोई पत्रिका निकाली जायेगी; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मंत्री (श्री हुमायूं कबिर) : (क) जी, हां ।

(ख) और (ग). निकट भविष्य में नहीं निकाली जायेगी क्योंकि भारतीय साहित्य पर कई हिन्दी पत्रिकायें पहले से ही निकलती हैं ।

Staff Quarters for Income-tax Employees at Cuttack

2876. Shri Chintamoni Panigrahi: Will the Minister of Finance be pleased to state:

(a) whether the construction of staff quarters for Income-tax Officers at Cuttack has made any progress by now;

(b) if not, what is the difficulty in not completing these quarters; and

(c) the number of quarters being built?

The Minister of Finance (Shri Morarji Desai): (a) and (b). Yes, Sir. Tenders have been invited for this work.

(c) Sixteen. Out of these, ten are intended for employees of the Income-tax Department and six for Central Excise Department.

Students Homes, Clubs and Health Centres

2877. **Shri Chintamoni Panigrahi**: Will the Minister of **Education** be pleased to state:

(a) the State-wise allocation of the expenditure of Rs. 29,48,683·99 by the University Grants Commission during the Second Plan period for construction of students homes, clubs and health centres;

(b) the number of non-resident student centres, which have been set up in Orissa in the Second Plan period;

(c) the number of such students homes and health centres set up in Orissa during the Second Plan period;

(d) if not, the reasons therefor; and

(e) the amount given to Orissa for such purposes during 1961-62 by the University Grants Commission?

The Minister of Education (Dr. K. L. Shrimali): (a) to (e). A statement is laid on the Table of the House. [*See* Appendix III, annexure No. 82].

Funds for the Welfare of S.C. in Orissa

2878. **Shri Chintamoni Panigrahi**: Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Orissa Government had made any diversion of funds out of the money allotted to Orissa Government by the Centre for welfare of backward classes for rendering special assistance to the Scheduled Castes affected by floods in Orissa in 1960; and

(b) if so, the amount diverted for this purpose?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The State Government were informed that approved programmes for the welfare of backward classes could be concentrated in flood affected areas and diversion of funds could be done within the total allocations for these programmes. The State Government have spent Rs. 7 lakhs accordingly.

Export of Iron Scrap

2879. { **Shri S. C. Samanta:**
Shri Subodh Hansda:

Will the Minister of **Steel, Mines and Fuel** be pleased to state:

(a) what varieties and what amount of iron scrap have been exported from India during 1960-61;

(b) whether a list of banned varieties will be laid on the Table;

(c) whether the entire banned varieties are consumed in India; and

(d) if so, the percentage thereof consumed by the public and private sectors?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) A statement is laid on the Table of the House. [*See* Appendix III, annexure No. 83].

(b) Under the Ferrous Scrap Export Policy, for July-December, 1961 period, export of Heavy melting scrap, stainless steel scrap and such other scrap, as can be utilised in the country are not allowed.

(c) Yes, Sir, almost to the extent they are available.

(d) Public Sector—8%.
Private Sector—92%.

कुष्ठ रोगियों के लिए कालोनी

२८३०. **श्री मेक राम मंत्री** : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि इटली का एक स्कीइंग का विशेषज्ञ हिमाचल प्रदेश

में कुफ़री स्कीइंग क्लब का निरीक्षण करने आया था ;

(ख) क्या उसने भारत सरकार को कोई प्रतिवेदन दिया है ; और

(ग) क्या स्कीइंग करने वाले भारतीयों को विदेश में प्रशिक्षण के लिये भेजने का सरकार का विचार है ?

शिक्षा मंत्री (डा० का० ला० श्रीमाली) : (क) कुफ़री में अखिल भारतीय स्कीइंग क्लब स्थापित करने की सम्भावना पर सलाह देने के लिए इटली के एक स्कीइंग विशेषज्ञ ने भारत सरकार के निमंत्रण पर कुफ़री का इस वर्ष के प्रारम्भ में निरीक्षण किया ।

(ख) जी, हां ।

(ग) आशा है कि अखिल भारतीय खेल परिषद् इस मामले पर अपनी अगली बैठक में विचार करेगी । इस मामले में सामान्यत भारत सरकार, परिषद् की सिफारिशों के आधार पर अपनी कार्यवाही निश्चित करेगी ।

Conveyance Allowance

2881. Shri Balraj Madhok: Will the Minister of **Finance** be pleased to state:

(a) whether in view of the fact that most of the colonies for Government servants are situated at a distance of more than three miles from the Central Government Offices and in view of the heavy cost of conveyance, Government propose to consider the need for payment of conveyance allowance to its low-paid employees; and

(b) if not, the reasons therefor?

The Minister of Finance (Shri Morarji Desai): (a) No.

(b) The policy of the Government is not to accept the responsibility of providing transport facilities to its employees for travel between place of work and place of residence. This policy has very recently been reviewed and on the recommendations of Pay Commission necessary orders were issued in our Office Memorandum No. 11/7/E.IV(B)/60, dated 11th August, 1960 a copy of which was placed on the Table of the House on 4th May, 1961 with the reply to Unstarred Question No. 4532.

U.P.S.C. Examination

2882. Shri Balraj Madhok: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that Government servants working in subordinate offices of the Government of India above the age of 24 are not allowed to appear in U.P.S.C. examination for promotion to the grades of Assistants and Section Officers;

(b) whether it is a fact that Government servants working in the Ministries and their attached offices are entitled to appear in the same examinations upto the age of 35 years; and

(c) if so, whether there is any proposal to remove this discrimination against Government servants working in Subordinate offices?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). No examinations are at present held by the Union Public Service Commission for the purpose of promotions to the Assistants' grade of the Central Secretariat Service, and such promotions are made from Grade I of the Central Secretariat Clerical Service (i.e., Upper Division Clerks' Grade) on the basis of seniority subject to the rejection of the unfit. 50 per cent. of the appointments to the Regular Temporary Establishment of Section Officers are made on the basis of a limited competitive examination held by the Union Public Service Commission. There are no age-limits for admission to this examination, but being a departmental promotion examination, it is open only to Assistants of the Central Secretariat Service possessing a prescribed minimum length of service. Therefore, the

question of permitting the staff of the Subordinate Offices to appear in this examination does not arise.

Circular regarding Gross Misbehaviour

2883. Shri Muhammed Elias: Will the Minister of **Home Affairs** be pleased to state:

(a) whether he is aware of the clarification issued by the Railway Board in respect of "gross misbehaviour" under Memo. No. E(L)6ST-5, dated the 2nd February, 1961;

(b) whether similar clarifications have been issued by the various departments of the Government; and

(c) if not, whether his Ministry has instructed other departments to issue such circulars?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes. The clarification was given to the General Manager, Northern Railway by the Railway Board in a secret demi-official letter No. E(L)61ST1-5, dated the 2nd February, 1961.

(b) No.

(c) The Railway Ministry issued the clarification to ensure quick disposal of the cases pending with the authorities under them. As most of the cases pending with other Departments of Government of India were disposed of in the light of Government's liberalised policy towards the employees involved in the strike, it was not considered necessary to issue any further clarification in this regard.

C.S.I.R.

2884. Shri S. M. Banerjee: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether it is a fact that in case Mr. Bansal *versus* Council of Scientific and Industrial Research before a sub-judge in Delhi, the sub-judge has imposed Rs. 20 as damages on C.S.I.R. for not producing requisite documents of transfer;

(b) whether Mr. Bansal was employed in Council of Scientific and Industrial Research, New Delhi;

(c) whether the documents not produced were secret; and

(d) if not, the reasons for not producing these documents?

The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir): (a) No, Sir. The case is still pending.

(b) Yes, Sir.

(c) and (d). Do not arise.

Facilities in Villages of Shrinagar etc.

2885. Shri Bangshi Thakur: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that there are no facilities of roads, dispensaries and drinking water in the villages of Shrinagar, Amlighat, Krishnagar, Smarendraganj and Madhabnagar in Sabroom; and

(b) if so, the steps taken to provide such facilities?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). The information is being collected and will be laid on the Table of the House.

Students of Tripura Community

2886. Shri Dasaratha Deb: Will the Minister of **Home Affairs** be pleased to state:

(a) whether Government are aware that Scheduled Tribe students belonging to Tripura Community are to pay the tuition fees in the Government Schools and Colleges of Assam, although the students are the permanent residents in the State of Assam; and

(b) if so, what are the reasons for not extending facilities to the members of this community that are being provided in other States?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a)

and (b). The "Tripura" Community is not a Scheduled Tribe in Assam. The question of giving members of this community the educational and other concessions admissible to the Scheduled Tribes in that State does not, therefore, arise.

CR. P.C. in J. & K.

2887. { **Dr. K. B. Menon:** **Shri Ramji Verma:**

Will the Minister of **Home Affairs** be pleased to state:

(a) whether the Criminal Procedure Code as amended up to 1956 is in force in the State of Jammu and Kashmir;

(b) if not, what are the reasons for not enforcing it; and

(c) if the answer to parts (a) and (b) above be in the negative, what steps have been taken by Government in bringing about uniformity in the procedural law?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) No.

(b) The Indian Code of Criminal Procedure is relatable to entry 2 of the Concurrent List in the Seventh Schedule to the Constitution which is not applicable to Jammu and Kashmir.

(c) According to the Constitution of India as applicable to Jammu and Kashmir, the exclusive power to legislate for the State regarding criminal procedure vests in the Legislature of that State. The State, however, has a Code of Criminal Procedure which mainly follows the Indian Code.

Land Revenue in Tripura

2888. **Shri Dasaratha Deb:** Will the Minister of **Home Affairs** be pleased to state:

(a) whether any objection has been filed with Government of Tripura, by the peasants against the proposal of raising the rate of land revenue in Tripura;

(b) if so, the number of applications which have so far been received by Government; and

(c) the reaction of Government on the objection raised by the peasants of Tripura?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (c). The information, is being collected and will be laid on the Table of the House.

Army Medical Corps

2889. **Shri S. M. Banerjee:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that in the Army Medical Corps a number of categories of officers after serving the second period and passing certain examinations are promoted to higher groups;

(b) whether after a Havildar belonging to second group is promoted to Jemadar, he is placed in C group;

(c) if so, the reason for the same; and

(d) the steps to rectify this anomaly?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) The Question apparently refers to Other Ranks and not officers of the AMC. Recruitment to the technical categories in A.M.C. is made in the category of Nursing Assistant which is placed in group 'C' for purposes of pay. Selected Nursing Assistants are remustered to nursing technical categories placed in higher pay groups after passing the various examinations laid down in Qualification Regulations and on completion of a specified period of service. The reference to the words "after serving the second period" is not understood.

(b) to (d). Up to (and inclusive of) the rank of Havildar, a soldier is assigned to one of the pay groups A to H (such as Group B or Group C for

the A. M. C.) *according to the type of work* which he performs, and irrespective of the Arm or Corps to which he belongs. On promotion as a JCO. however, he is assigned, subject to certain exceptions, to one of the pay Groups, (such as Group C for the A.M.C.) *according to the Arm or Corps* to which he belongs. A Havildar of the A.M.C. in pay Group B becomes, therefore, a Jemadar in pay Group C on promotion. He gets increase in pay on promotion. The difference in role between a J.C.O. and O.R. has a bearing on the above-mentioned difference in their grouping for pay. The groupings which were originally introduced in 1947, have been varied when necessary, on merits.

Ban on Wearing of Uniform in Manipur

2890. Shri L. Achaw Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that wearing of any dress or article of apparel resembling any uniform by any member of public has been banned in Manipur; and

(b) if so, the circumstances under which the ban was imposed?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) Yes.

(b) The ban has been imposed under section 25 of the West Bengal Security Act, 1960 as extended to Manipur to safeguard public safety and maintenance of pubilc order. Persons other than the members of the Union Forces, police force or any other force constituted under law have been debarred from wearing in public any dress, apparel etc. resembling any uniform or part of the uniform of the aforementioned forces.

Use of Army in Manipur

2891. Shri L. Achaw Singh: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that Union Armed Forces have been employed in aid of the Civil Power in certain areas of Manipur;

(b) if so, the sub-divisions in which they have been posted; and

(c) the respective periods for which the Armed Forces (Assam and Manipur Special Power) Act, 1958, was invoked in the respective sub-divisions?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) and (b). Yes. Armed Forces have been deployed in aid of civil power in the (1) Ukhrul, (2) Mao Maram and Sadar and (3) Tamenglong Sub-division of Manipur, which have been declared disturbed areas under section 3 of the Armed Forces (Assam and Manipur) Special Powers Act, 1958.

(c) The Temenglong Sub-division north of Old Cachar Road was declared a disturbed area from February 22, to June, 29, 1961.

The whole of Temenglong sub-division from June 30, to October 29, 1961.

The whole of Ukhrul sub-division from October 7, 1960, to November 7, 1961.

The whole of Mao-Maram Circle from January, 13, to November 12, 1961.

Delhi University B.A. Examinations

2892. Shri Tangamani: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that a compulsory paper in Hindi is set for B.A. students in the Central University of Delhi;

(b) whether the marks count for the ranking for pass or distinction;

(c) whether it is also a fact that some students from Madras and other non-Hindi speaking areas though securing pass marks are not granted certificates because of failure in Hindi;

(d) how many such cases have come up for consideration in the examinations held in March, 1960 and March, 1961;

(e) whether there is a proposal to grant certificates in such cases to enable the students to proceed with post-graduate courses; and

(f) whether it is also a fact that foreign students are exempted from this provision?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes.

(b) No.

(c) Yes.

(d) April, 1960—8 (Four of these have since passed the compulsory test in Hindi and been declared eligible for award of the Degree).

April 1961—4.

(e) No, but such candidates may be admitted to some of the Post-graduate courses of study provisionally subject to passing the Compulsory Test in Hindi at the Supplementary Examination to be held in September in the same year.

(f) Non-Indian Nationals are exempted.

1960-Strike

2893. Shri Tangamani: Will the Minister of **Defence** be pleased to refer to the reply given to Unstarred Question No. 2583 on the 1st April, 1961 and state:

(a) whether all the cases arising out of July, 1960 strike have been finalised;

(b) if so, how many have been reinstated of the 25 cases pending;

(c) whether cases of those 55 dismissed will be reconsidered; and

(d) if so, by what time?

The Minister of Defence (Shri Krishna Menon): (a) and (b). Out of 25 cases which were shown pending on 1st April, 1961, only 5 cases remain to be finalised; all the 20 employees whose cases have been finalised are continuing in service.

(c) and (d). As and when any appeal or representation is received from any of them, it will be considered on its merits.

Foreign Private Investments

2894. Shri Tangamani: Will the Minister of **Finance** be pleased to refer to the reply given to Unstarred Question No. 4563 on 4th May, 1961 and state:

(a) whether it is a fact that foreign private investments during 1960 and 1961 have shown increase;

(b) if so, the reasons for the same;

(c) what is the total investment at the end of 1960;

(d) whether Government will discourage such private investments in the future; and

(e) if not, the reasons therefor?

The Minister of Finance (Shri Morarji Desai): (a) to (c). The information relating to 1960 and 1961 is not yet available.

(d) and (e). Foreign capital, including foreign private capital, is necessary for achieving a rapid rate of industrial growth. Government welcomes the inflow of foreign private capital in fields and on terms to be approved by them.

Expenditure on Uplift of S.C. and S.T.

2895. Shri Tangamani: Will the Minister of **Home Affairs** be pleased to state:

(a) how much has been spent in Madras till the end of March, 1961 out of the amount allotted for the uplift of scheduled castes during the Second Plan period; and

(b) how do Government propose to utilise the unutilised amount under this head?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) An amount of Rs. 417.91 lakhs was spent out of Rs. 434.26 lakhs allotted to Madraos State for the welfare of Scheduled Castes in the Second Five Year Plan.

(b) The State Government may, if they like, meet the cost of the completion of the incomplete schemes from out of the outlay already allocated in the Third Plan for 1961-62.

Law Commission Report

2896. Shri Tangamani: Will the Minister of **Law** be pleased to state:

(a) whether Eighteenth Report of Law Commission on Marriage Dissolution Act, 1956 has been considered by the Government;

(b) if so, the nature of decision taken; and

(c) what steps are proposed for implementing the decisions?

The Deputy Minister of Law (Shri Hajarnavis): (a) to (c). Eigheenth Report of the Law Commission on the Converts' Marriage Dissolution Act, 1866 is under examination of the Government. No decisions have so far been taken on the recommendations contained in the Report.

Pay Scales of Police Force of Andaman and Nicobar Islands

2897. Sardar A. S. Saigal: Will the Minister of **Home Affairs** be pleased to state:

(a) whether officers of the Andaman and Nicobar Police Force, excepting Sub-Inspectors and Assistant Sub-Inspector, get Central scales of pay;

(b) if so, why Sub-Inspectors and Assistant Sub-Inspectors are not given the Central scale of pay etc.; and

(c) whether consequent upon Central Pay Commissions report, the question of revision of pay scales of these Police Officers is under Government's consideration?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) and (b). All officers of Andaman and Nicobar Police Force, including Sub-Inspectors and Assistant Sub-Inspectors, get Central scales of pay.

(c) The scales of pay of various categories of posts in the Andaman and Nicobar Police Force including Sub-Inspectors and Assistant Sub-Inspectors have already been revised in accordance with the recommendations of the Second Pay Commission.

Manufacture of Tractors

2898. { Shri G. K. Jedhe: Shri Pangarkar:

Will the Minister of **Defence** be pleased to state:

(a) whether there is any proposal before Government to open a new factory for manufacturing tractors in India; and

(b) if so, the details thereof?

The Minister of Defence (Shri Krishna Menon): (a) No, Sir. Not in defence factories or establishments.

(b) Does not arise.

Judges in Maharashtra High Court

2899. { Shri G. K. Jedhe: Shri Pangarkar:

Will the Minister of **Home Affairs** be pleased to state:

(a) the number of judges employed in High Court of Maharashtra State; and

(b) how many of them are from outside the State?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) 11 permanent and 5 Additional Judges.

(b) None.

Promotions in Armed Forces Headquarters

2900. Shri S. M. Banerjee: Will the Minister of **Defence** be pleased to state:

(a) whether it is an established practice in Armed Forces Headquarters, New Delhi, to give preference to graduates over matriculates for purposes of promotion from Lower Division to Upper Division grade;

(b) if so, the reasons for the same;

(c) whether this has the approval of the Ministry of Home Affairs and U.P.S.C.; and

(d) whether this practice is being followed in other Defence Installations also?

The Minister of Defence (Shri Krishna Menon): (a) No, Sir.

(b) to (d). Do not arise.

U.P.S.C. Typing Test for A.F.H.Q. Employees

2901. Shri S. M. Banerjee: Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that those clerks who have completed ten years service in Armed Forces Headquarters, New Delhi, are exempted from passing U.P.S.C. typing test;

(b) if so, whether this concession has also been extended to those clerks who have been observed in A.F.H.Q. on transfer from other Defence Establishments; and

(c) if not, the reasons therefor?

The Deputy Minister of Defence (Shri Raghuramaiah): (a) No, Sir. However, clerks who were in position on 1st August, 1951—the date of the initial constitution of clerical grades and who are now coming up for confirmation against permanent vacancies of Lower Division Clerks occurring after 1st August, 1951 have been exempted from passing the U.P.S.C. type-writing test with the approval of the Union Public Service Commission.

(b) No, Sir.

(c) Since such individuals have joined Armed Forces Headquarters after 1-8-1951 they are not eligible for exemption from this test.

Census Department at Muzaffarpur

2902. Shri Bholanath Biswas: Will the Minister of **Home Affairs** be pleased to state:

(a) whether it is a fact that in accordance with the decision of the Central Government second Saturday of every month is observed as a full day holiday in all offices of the Central Government.

(b) whether it is a fact that in spite of this general observance the Tabulators Office of the Census Department at Muzaffarpur (Bihar) is not observing the second Saturday as a holiday; and

(c) if so, the reason therefor?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) The Civil Offices of the Government of India doing work of a Secretariat nature remain closed on the Second Saturday in each month.

(b) and (c). The Census Tabulation Offices are purely temporary offices employing extra-temporary staff for a short period for tabulation of data collected in the 1961 Census. As the tabulation work has to be completed in accordance with a tight time-schedule it is necessary to keep these offices working on Second Saturdays.

Promotion of Class IV Employees to Class III

2903. Shri Balraj Madhok: Will the Minister of **Home Affairs** be pleased to state.

(a) whether it is a fact that there are Class IV employees who have educational and other qualifications required for entering into Class III service of Government of India;

(b) whether they have represented to Government for being promoted to Class III service as and when vacancies arise; and

(c) what steps Government have taken to meet this genuine demand of Class IV employees?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) According to the information available, there are certain Class IV

employees who have passed the Matriculation examination and are thus educationally qualified for appointment to the clerical service.

(b) Representations have been received from time to time from Class IV Employees' Associations for promotion of educationally qualified Class IV employees to the clerical service.

(c) There are two main considerations on which opportunities for promotion are provided: first the need for incentives to improve performance, and second, bringing into the higher grade departmental experience in a lower grade which is likely to be of value in the higher grade. Both these considerations are not applicable in the case of Class IV employees and their promotion to Class III clerical service is not permissible. However, such employees are issued "No Objection" certificates to enable them to register their names with the Employment Exchange for Class III posts and are also accorded priority for appointment. Besides, qualified Class IV employees can be considered along with the nominees of the Employment Exchange for appointment in vacancies in Class III in their respective offices even though their names may not be among those sponsored by the Employment Exchange.

Ram Roop Vidya Mandir Higher Secondary School, Kamla Nagar, Delhi

2904. { **Shri Tangamani:** / **Shri Kunhan:**

Will the Minister of **Education** be pleased to state:

(a) whether an official enquiry was made into the activities of Ram Roop Vidya Mandir Higher Secondary School, Kamla Nagar, Delhi;

(b) whether the report of the official enquiry has been received;

(c) if so, the details thereof;

(d) the decision and the action taken thereon;

(e) whether it is a fact that the management of the school have refused a teacher to resume his duties as per the letter No. 2(10)/RRVM/1/15/1/61/3489 of 17th July, 1961 of Directorate of Education; and

(f) if so, the details thereor?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir, on receipt of certain complaints from the parents of the children reading in this school.

(b) Yes, Sir

(c) and (d). The report of the Enquiry Officer revealed that the school was charging certain fees in an unauthorised manner and levying a refreshment fee on a compulsory basis. The Director of Education was asked to instruct the school to stop the levy of unauthorised fees and to make the refreshment fee optional instead of compulsory.

(e) Yes, Sir.

(f) The teacher concerned was employed as a technical teacher with effect from 20th August, 1960 and was on probation. He proceeded on casual leave to his home town with the permission of the Principal. Therefrom he sent an application for grant of one month's leave on medical grounds. As the leave was not due, he was directed to resume his duties immediately. He failed to do so. As the teaching work was suffering and the performance of the teacher was not satisfactory, his services were terminated by the school management with effect from 2nd May, 1961. The Director of Education is, however, making an enquiry into this matter.

दिल्ली छावनी में बिजली

२९०५. **श्री प्रकाशवीर शास्त्री :** क्या प्रतिरक्षा मंत्री ५ अप्रैल, १९६१ के अता-

रांकित प्रश्न संख्या २८४१ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली छावनी में प्रतिरक्षा सेवाओं की बिजली की पूरी आवश्यकताओं का हिसाब लगा लिया गया है :

(ख) यदि हां, तो क्या असैनिक उपभोक्ताओं को बिजली के कनेक्शन दिये जा रहे हैं ; और

(ग) यदि उपरोक्त भाग (क) और (ख) के उत्तर नकारात्मक हों, तो लगभग कब तक असैनिकों को बिजली के कनेक्शन दिये जायेंगे ?

प्रतिरक्षा मंत्री (श्री कृष्ण मेनन) : (क) जी, हां ।

(ख) जी, नहीं ।

(ग) बिजली इन्स्टालेशन की वर्तमान कार्य-क्षमता प्रतिरक्षा सेवाओं की आवश्यकताओं को पूरा करने के लिये भी काफ़ी नहीं है । वर्तमान कार्य-क्षमता को बढ़ाने के बाद ही असैनिक उपभोक्ताओं को बिजली से संचालित मशीनों में बिजली का कनेक्शन देने के प्रश्न पर विचार किया जायेगा ।

कन्टोनमेंट फंड क्वार्टर

२९०६. **श्री प्रकाशवीर शास्त्री** : क्या प्रतिरक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि दिल्ली छावनी में कैन्टोनमेंट फंड के क्वार्टरों में से ९० प्रतिशत क्वार्टर, जिन में असैनिक कर्मचारी रह रहे हैं, अगस्त, १९६० के भूकम्प में बुरी तरह टूट-फूट गये थे और उनकी मरम्मत की तुरन्त आवश्यकता है;

(ख) क्या दिल्ली कैन्टोनमेन्ट बोर्ड ने एक संकल्प पास किया था, जिसमें इन क्वार्टरों की मरम्मत के लिये सरकार से एक लाख रुपये के विशेष सहायतानुदान को स्वीकृत करने की मांग की गई थ;

(ग) यदि हां, तो क्या कैन्टोनमेंट बोर्ड द्वारा मांगी गई धनराशि स्वीकार कर दी गई है ; और

(घ) यदि नहीं, तो कब तक सरकार यह धन स्वीकार कर देगी ?

प्रतिरक्षा उपमंत्री (सरदार मजीठिया) : (क) दिल्ली छावनी में छावनी फंड के लगभग ५० प्रतिशत क्वार्टर जिनमें इस समय छावनी फंड के कर्मचारियों समेत, असैनिक रहते हैं, अगस्त १९६० के भूकम्प द्वारा क्षतिग्रस्त हो गए थे । बोर्ड ने उनकी आवश्यक मरम्मत पर १७३५८ रुपये खर्च किए हैं ।

(ख) जी हां ।

(ग) तथा (घ) कमान मुख्यालय ने बोर्ड को सूचित कर दिया है, कि विशिष्ट सहायक अनुदान केवल विकास कार्यों के प्रयोजन से दिए जाते हैं और मरम्मत का काम बोर्ड के निजी साधनों और अतिरिक्त मांगी गई धनराशि के बारे में, साधारण सहायक अनुदान द्वारा की जानी चाहिए ।

कानपुर जिले के अकबरपुर का स्मारक

२९०७. **श्री जगदीश अवस्थी** : क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कानपुर जिले में स्थित अकबरपुर की मुगलकालीन प्राचीन इमारत को राष्ट्रीय स्मारक के रूप में स्वीकार करने के सम्बन्ध में कोई ज्ञापन प्राप्त हुआ है;

(ख) यदि हां, तो उसके मुख्य तथ्य क्या हैं; और

(ग) उस संबंध में अभी तक क्या कार्यवाही की गई है ?

वैज्ञानिक अनुसंधान और सांस्कृतिक कार्य उपमंत्री (डा० म० मो० दास) (क) जी, हां । श्री जगदीश अवस्थी के नोट के साथ ज्ञापन आया था ।

(ख) यह सुझाव दिया गया है कि अकबरपुर में एक तालाब जिसके बारे में यह माना जाता है कि वह अकबर के समय में बनाया गया था और १८५७ के आन्दोलन से संबंधित है, रक्षित किया जाये या ठीक ठाक किया जाये ।

(ग) मामले पर विचार हो रहा है ।

Temples at Bageshwar (U.P.)

2908. Shri J. B. S. Bist: Will the Minister of **Scientific Research and Cultural Affairs** be pleased to state:

(a) whether the attention of Government has been drawn to the fact that the ancient temples at Bageshwar in Uttar Pradesh hills were endangered by the flood waters of the river at Bageshwar; and

(b) what steps are being taken to protect the archaeological monuments from the ravages of the river?

The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das): (a) and (b). The temples in question are not protected as monuments of national importance and the Achaeological Survey of India is not responsible for their maintenance.

Text Books of Delhi Schools

2909. Shri Ram Garib: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that the text books prescribed for the 7th class of Delhi Schools on the subjects of 'Social Studies' and 'Sanskrit' do not cover the prescribed syllabi and the latter book is quite tough;

(b) whether any representations or complaints have been received against these books; and

(c) if so, whether Government have instituted an enquiry in this matter and what are the results thereof?

The Minister of Education (Dr. K. L. Shrimali): (a) to (c). Certain complaints of a general nature have been received about the poor quality of text books selected this year for the various classes. The Delhi Administration has been asked to make a thorough and independent enquiry into the matter as speedily as possible. The result of the enquiry is still awaited. The enquiry will also ascertain whether the text books prescribed are in accordance with the syllabi.

Text Books in Delhi Schools

2910. Shri Ram Garib: Will the Minister of **Education** be pleased to state:

(a) whether it is a fact that Government have received representations against the text books which have been prescribed for the Delhi schools this year;

(b) whether it is a fact that the Director of Education, Delhi, invited manuscripts for books in each subject for three zones of Delhi schools;

(c) if so, whether the other manuscripts were not considered upto the mark; and

(d) if not, what circumstances led Government to approve only one book in each subject for entire Delhi?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) Yes, Sir, in certain subjects.

(c) and (d). As the prescription of different text-books in different zones within the same town created many difficulties, it was decided that text books should be prescribed for the whole territory and not zone-wise. Accordingly, text books were selected on all-Delhi basis.

Scheduled Tribes in Orissa

2911. Dr. Samantsinhar: Will the Minister of **Home Affairs** be pleased to refer to the reply given to Unstarred Question No. 2452 on the 28th March, 1961 and state:

(a) the number of boats purchased by the Scheduled Tribes in each of the Districts of Cuttack, Puri and Balasore separately; and

(b) the price of each boat?

The Minister of State in the Ministry of Home Affairs (Shri Datar): (a) to (b). The required information has been called for from the State Government and will be laid on the Table of the House when received.

12 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

Issue of arrest warrants against Master Tara Singh and Yogiraj Surya Deo

Shri Tyagi (Dehra Dun): Under rule 197, I beg to call the attention of the Minister of Home Affairs to the following matter of urgent public importance and I request that he may make a statement thereon:

> "The warrants of arrest reported to have been issued under Section 188 I.P.C. against Master Tara Singh and Yogiraj Surya Deo and the Government's policy regarding the entry of police into the places of worship."

The Minister of Home Affairs (Shri Lal Bahadur Shastri): Sir, I have obtained information from the Punjab authorities in regard to the calling attention notice tabled by Shri Tyagi.

The facts are that orders were promulgated under section 144 of the Criminal Procedure Code in Amritsar City on the 3rd August, 1961 prohibiting the making of speeches and the issuing of posters on the demand for a Punjabi suba or giving publicity to any fast undertaken in that connection. As Master Tara Singh and Sant Fateh Singh have violated these orders by delivering speeches in support of the Punjabi suba, warrants for their arrest have been issued by a local magistrate under section 188 I.P.C.

While there is no law prohibiting the police from entering a place of religious worship in order to effect the arrest of any person, the police do not usually enter any holy precincts for such purposes. I am informed that there is an old practice in Punjab that if a person against whom a warrant of arrest has been issued takes shelter inside a gurdwara or other holy place the magistrate issues a notice to the head of the Sikh Gurdwara Parbandak Committee or the manager of the Gurdwara or holy place, bringing the facts to his notice, and requesting him to help in the surrender of the accused person. Government naturally expect that the co-operation of the gurdwara or temple authorities would be forthcoming in such cases and that holy places will not be utilised for giving shelter to persons against whom warrants of arrest have been issued.

In regard to Shri Surya Deo, I am informed that a warrant under sections 107/151 of the Criminal Procedure Code has been issued for his arrest.

We do not consider it at all desirable that holy places should be used for political purposes. It is essential that their sanctity should be maintained. I do not think this practice is right, and we will have to give some thought to this matter. For the present it would be for the Punjab Government to deal with the situation in a manner they consider appropriate.

Shri Chintamoni Panigrahi (Puri) *rose*—

Mr. Speaker: No questions.

Shri Raghunath Singh (Varanasi): Order, order.

Shri Rajendra Singh (Chapra): Who is the Speaker here? Are you the Speaker, or Shri Raghunath Singh is the Speaker? (*laughter*).

12.06 hrs.

PAPERS LAID ON THE TABLE

Manipur Land Revenue and Land Reform Rules

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to lay on the Table a copy of Notification No. 140/12/60-M(v) published in the Manipur Gazette dated the 31st May, 1961 containing the Manipur Land Revenue and Land Reforms Rules, 1961, under section 169 of the Manipur Land Revenue and Land Reforms Act, 1960. [*Placed in the Library, See* No. LT-3171/61]

Reserve and Auxiliary Air Forces Act (Amendment) Rules

The Deputy Minister of Defence (Sardar Majithia): I beg to lay on the Table a copy of the Reserve and Auxiliary Air Forces Act (Amendment) Rules, 1961 published in Notification No. S.R.O. 178 dated the 17th June, 1961 under sub-section (4) of section 34 of the Reserve and Auxiliary Air Forces Act, 1952. [*Placed in Library. See* No. LT-3172/61]

Notifications under Sea Customs Act

The Deputy Minister of Finance (Shri B. R. Bhagat): I beg to lay on the Table:

(i) A copy of Notification No. G.S.R. 1037 dated the 19th August, 1961 under sub-section (4) of section 43B of the Sea Customs Act, 1878. [*Placed in Library, See* No. LT-3173/61].

(ii) A copy of the following Notifications under sub-section (4) of section 43B of the Sea Customs Act, 1878 and section 38 of the Central Excises and Salt Act, 1944, making certain further amendments to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960:—

(a) G.S.R. No. 1038 dated the 19th August, 1961.

(b) G.C.R. No. 1039 dated the 19th August, 1961.

[*Placed in Library. See* No. LT-3174/61]

12.07½ hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

Eighty-eighth Report

Sardar Hukam Singh (Bhatinda): I beg to present the Eighty-eighth Report of the Committee on Private Members' Bills and Resolutions.

12.07¾ hrs.

RESIGNATION OF A MEMBER

Mr. Speaker: I have to inform the House that Shri Muhammed Khuda Buksh, an elected Member from Murshidabad constituency of West Bengal, has resigned his seat in Lok Sabha with effect from the 25th August, 1961.

Some Hon. Members: Why?

Mr. Speaker: I am not here to give any reasons. He is no longer a Member of this House. It is open to any hon. Member to state or not to state any reasons. No reasons are necessary.

12.08 hrs.

DEMANDS FOR SUPPLEMENTARY GRANTS (GENERAL), 1961-62— *Contd.*

Mr. Speaker: The House will now proceed with the further discussion and voting on the Supplementary Demands for Grants in respect of the Budget (General) for 1961-62.

Shri A. C. Joshi to continue his speech.

The Parliamentary Secretary to the Minister of Information and Broadcasting (Shri A. C. Joshi): Yesterday when I stopped speaking, I was dealing with the production of children's films. I may take this opportunity of informing the hon. lady Member, Shrimati Ila Palchoudhuri, that sufficient encouragement is also being given for the production of children's films, and that an award of Rs. 20,000 was given to Shri Shanta Ram, one of the producers of a children's film named *Phool aur kaliyan*.

Now I come to another point raised by Shri Tangamani with regard to the invitations issued to the different artistes for attending the function of State Awards. These invitations are issued to only the leading male and female artistes of the award-winning films. In Deivappiravi the leading male artiste Shri Sivaji Ganesan and the leading feamle artiste. Shrimati Padmini attended. The Director and Producer also attended. In the case of Bhagapiriviinai, the entrant, Saravanà Films, had furnished the names of the following artistes in the order indicated below:

Shri V. C. Sivaji Ganesan,

Smt. B. Saroja Devi and

Shri M. R. Radha.

The Ministry extended two invitations to the first two only. Shri Sivaji Ganesan and Smt. Saroja Devi were invited and Shri M. R. Radha was left out. Although these individual invitations are sent out to only a few artists, yet the Producers or Directors are welcome to invite any other artistes, and bring them to attend the function. There is a general invitation to all artistes who would like to come. But the Ministry, as such, does not invite more than 2 in any award-winning film.

Mr. Speaker: Do they pay the travel charges?

Shri A. C. Joshi: We pay two first class fares to each individual we invite; but the rest of them who come at their own expense. The Ministry pays only for two persons. In addition, all Producers of award-winning films were and are being requested to ensure the presence of all leading artistes in the films award function.

With regard to the selection of artistes who are called to the film festivals it is left to the Directors or Producers to take such artistes as they choose. We have organised only one film festival outside India, in Indonesia, as a measure of export promotion. The artistes for this were selected by the Film Federation of India in consultation with the regional organisations, and in the case which is in the mind of Shri Tangamani, the South India Film Chamber of Commerce.

Now, about the two artistes to whom he has made special reference, Shri Gemini Ganesan and Shrimati Savitri Ganesan from Madras. He has taken objection because they happen to be husband and wife. He says they should not have been sent together. But my respectful submission is that Shri Tangamani himself has admitted that they are two prominent artistes and that they are leading personalities in the cinema world and they have been selected by the Film Federation of India. He has also objected to their selection on the ground that they are husband and wife. But it is the Indian way that the wife should travel with her husband instead of travelling with others' husbands.

She travelled with her own husband; it is good.

Shri Tangamani (Madurai): If the film in which they were acting were being exhibited I should have no objection to these people going. But it has appeared in the papers that it would have been enough if only one of them had been sent; and they have mentioned the names of other artistes like Shri Ramachandran and Shri Rajendran.

Shri A. C. Joshi: The Films Federation suggested the names and we accepted them.

Mr. Speaker: Even teachers, husband and wife, are posted to the same place. (*Interruptions*).

Shri A. C. Joshi: Shri Assar has raised a point.

Mr. Speaker: Every one of these points need not be answered.

Shri A. C. Joshi: I will just deal with one or two points. He has said that several of the films which, in his opinion, are very good did not get the awards. The Ministry of Information and Broadcasting has set up a certain machinery for the selection of pictures for giving the awards. This machinery consists of Regional Committees and a Central Committee. They select the pictures which, in their opinion, deserve awards; and they get the awards from the Ministry.

Mr. Speaker: I think what he meant was that it should be on an all-India basis. Why should the top awards go to only one language?

Shri A. C. Joshi: We give regional awards also, Sir.

Mr. Speaker: What he means is that the selection should be on an all-India basis. Why should Bengali alone be selected; why not Madrasi films? What he seems to suggest is that when there is acting, and so many other things, why should all of them go to Bengali only.

Shri A. C. Joshi: That is not true, Sir.

Shri Achaw Singh has complained that the production of films on education is very much less, as also that of documentary films. Documentary films are already being made to the full capacity. It has to be remembered that Government have only one film unit in Bombay for making such films. Co-operation already exists between the State Governments and the Central Government in this respect. When the programme for the year is prepared, the States are consulted and they are invited to make suggestions for the production programme of the Films Division of the Ministry.

This is all I have to say.

The Deputy Minister of Defence (Shri Raghuramaiah): Sir, speaking on Demand No. 12 Shri Goray said yesterday that we are making an invidious distinction between those belonging to the ex-State Forces and those belonging to the Indian Army. I would like to say that it is not correct. In fact, that remark does not arise out of the case dealt with in the Demand. This is the case of an officer Lieut. Gurdev Singh, who was an Emergency Commission Officer in the P.E.P.S.U. Forces before integration. He was on the reserve and on integration he was released. And the question is what is the pension payable to him under the PEPSU rules. The Government of India have interpreted them in one way and he claimed it in another way. In any case, I would not like to go into the merits of this case because the matter is still *sub judice*. His suit in the lower court had been dismissed; but the High Court decreed it in his favour; and now we have been advised by the Law Officers of Government to file a petition for leave to appeal to the Supreme Court which we have done. So long as that is pending I would not like to make any further comment on it.

[Shri Raghuramaiah]

My hon. friend Shri Banerjee has raised a general issue that the pension rates in the Armed Forces are not satisfactory.

Shri S. M. Banerjee (Kanpur): We have got a statement in reply to a question; in fact we have got that information since.

Mr. Speaker: The hon. Member does not want the reply now.

Shri Raghuramaiah: Then I have nothing more to say.

Shri Goray (Poona): Though this particular individual did not belong to the Forces to which I alluded, would the hon. Minister say something about the pensions that are given to them? I mean the Armed Personnel that came and joined our Army after the merger of the States in Madhya Bharat. They have a complaint.

Shri Raghuramaiah: This is, however, a different matter that does not arise out of Demand No. 12. No doubt it will be dealt with suitably if the hon. Member gives notice of it.

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): Sir, my friend from Maharashtra, Shri Bharucha, criticised the scheme of movement of coal by sea. It is surprising, coming as he does from a State like Maharashtra which is likely to get substantial benefits out of it, he should raise any objection to this. Under this scheme coal would be moved to the States in the South, to Maharashtra and to Gujarat coastal States. As the cost of movement by sea is a little higher than by rail it was considered appropriate that the burden should not fall on the consumer industries in those States and Parliament approved a legislative measure in which it was made clear that an additional cess was going to be imposed in order to subsidise the movement by sea. I want to clarify one point. When we move coal by railway to distant places, there is already an element of subsisdy for movement of coal over long distances and the railways are actually losing because they are not being reimbursed even to the extent of the expenditure incurred by them. These are matters of deliberate policy which have been followed from time to time in the interest of serving those areas which happen to be situated at points which are far removed from the production centres.

He made another suggestion that in the railways there are certain bottlenecks and it should be explored as to whether temporary movement could not take place over these bottlenecks by trucks. That is not as simple as it appears to be at first sight. That will involve triple-handling—unloading at one point, movement and loading at another point. That is not at all practical.

Shri Tangamani in his remarks about coal mentioned about the desirability of developing Singareni colliery. I have made it clear that our policy is that as much coal should be raised from that area as we can and that is why there is a massive expansion scheme of raising more coal from Singareni in the course of the Third Plan. He also made a suggestion that dumps might be created at four centres in the State of Madras. That is a good suggestion. He himself gave the answer, when he said that movement of coal these days is not enough even to move the railways and certain goods trains had to be cancelled. So, we cannot create dumps. We cannot create stores when our transport system is so strained that we are not able to move enough of coal even to meet current requirements. But the suggestion is good and when the transport position becomes easier or when there is any slack period in the matter of movement, certainly this suggestion could be considered. There is no objection to this in principle but the sole question is whether it is practical or not.

Another question was put and I was asked to give him some information as to how much coal has been moved since May by sea. I have got some figures here. From the 1st of May to 15th of August, about 4·25 lakh tons have moved by ship. More should be moved and I think that when the arrangements get going, we will be able to move larger quantities of coal by sea. These are the only points that I wanted to make.

Shri Braj Raj Singh (Firozabad): This means only one lakh ton per month.

Sardar Swaran Singh: Our ultimate objective is to move about two million tons—about 1·6 lakh tons per month. The current figure of movement will go up.

Shri A. C. Guha (Barasat): What was the quantity of coal carried by ship before?

Sardar Swaran Singh: It was comparatively less. But some States were complaining that they were asked to share a great burden on account of movement by ship because they had to pay a higher price for it.

Shri Tangamani: In the note that was circulated to us, it is said that 1·7 million tons would be transported during 1961. Will we be able to complete that target? How far will Cuddalore, as a receiving port, be able to meet the situation?

Sardar Swaran Singh: I know his interest in Cuddalore but the Transport Ministry can really answer about the arrangements that they propose to have physically on the spot and about the improvement of that port.

The Minister of Mines and Oil (Shri K. D. Malaviya): Sir, yesterday, some observations were made by my hon. friend, Shri Goray and also by Shri Bharucha which require notice by us. Shri Goray left the impression on me that he was perhaps doubtful about the policy that was being pursued by us with regard to the development of oil industry in our country. He compared the speed of work with the Assam Oil Company and thought that our work was slow. I wish to state that it is not like that. I would like to place some facts for his consideration. The Assam Oil Company drilled their first well in Assam in 1954; it took about 14 months for them to complete their first well. The Oil and Natural Gas Commission drilled their first well in September, 1957 and took about 92 days to finish their first well. Since then, that is in about 3½ years time, the Commission had completed in the entire Gujarat region about 32 wells. They first started with one rig; in the second year they brought another rig and only in the third year they had about 7 or 8 rigs functioning in Cambay and Ankleswar. The rate of acceleration of our work has been terrific. This is much more than what has been exhibited by the Assam Oil Company because, in the six years the total number of wells drilled by the Assam Oil Company had been about 105 and most of these wells were completed in the latter part of this period—the three years, 1958, 1959 and 1960. In the first three years their performance was not as satisfactory as was made out by Shri Goray yesterday. I want to assure the House that the experience and the knowledge that the Commission is now gaining is indicative of the fact that our rate of acceleration of work has been very high. By the end of the Third Plan period undoubtedly the requirement of oil will be something like what was indicated by Shri Goray and indicated by Shri Maitre: it will be of the order of about 13-14 million tons and our production of crude oil by that time should be somewhere near 8-9 million tons. Therefore, we hope to be well nigh self-sufficient some time in the early part of the fourth Plan. But consumption also is going up rather highly. There is no other alternative for us in order to catch

[Shri K. D. Malaviya]

up to the consumption except to do as we are doing today. The ability of the ONGC to handle the work that faces us is increasing and I have no doubt that the policy that we are pursuing will enable us to produce the amount of oil that we require in a satisfactory manner.

In the short time that is available to me, it is not possible for me to deal with all those perspective ideas that will go to satisfy my hon. friend with regard to the production and self-sufficiency of oil in our country in the next 5-10 years' time but I can only say that the Government is very much alive to the future needs of the country and we hope that we shall be able to satisfy the country with regard to its needs for oil.

With regard to Shri Bharucha's point, it is a fact that we have entered into a 50:50 partnership with the Burma Oil Company. It is a new arrangement that is being experimented and the pattern of details that are likely to result after consultations have still to be seen. But the broad outline is as follows: in accordance with the agreement recently arrived at between the Burmah Oil Company and ourselves, the strength of the board of directors will be six to eight and both the Government of India and the BOC will have equal number of directors on this board. The chairman of the board of directors will be nominated in alternate years by the Government of India and the Burmah Oil Company. It has been agreed that the first chairman will be that of the Government of India. The House might be aware of the fact that we have already suggested the name of a Member of the Rajya Saba, Shri Khandubai Desai, and he is going to be our first chairman. The managing director of Oil India will be appointed by the Government of India and the Burmah Oil Company in consultation with, and together, from a panel to be submitted by the BOC to the Government of India. That is the arrangement for the appointment of the first managing director.

Shri Ranga (Tenali): Has not Government given up the practice of appointing Members of Parliament as chairmen of these management committees?

Shri K D. Malaviya: No. We have made exemptions for such projects, and these exemptions are to be specified.

Shri Ranga: So, the process of distribution of largesses is continuing.

Shri K. D. Malaviya: The hon. Member is entitled to have his opinion with which I wholly differ. Similarly, a financial director will be selected by the Government of India and the BOC, in consultation with and together, from a panel to be submitted to the Government of India. You will thus see that there will be a finance member, a whole-time finance member, in this board of directors who will control and regulate the expenditure of the company. He will be wholly responsible to the board of directors. Similarly, there will be a managing director who will be wholly responsible to the board of directors and he will be appointed by the Government of India out of a panel which will be produced by the Burmah Oil Company. That will be for the first term. As to what will happen in the second term is still to be considered. I can only say that this is entirely a new arrangement in the oil world. Thus, a private sector oil company has agreed to come in this form of partnership and join hands with the Government of India, on a 50-50 basis, and has agreed to a pattern which, according to us, should work well. The chairman will be ours. The finance member will be from the Government of India and the managing director will be theirs. This will go on for some time, when perhaps, after mutual

consultation, this will be alternated by the representatives of the other party. These are the two points which were relevant to the discussion yesterday, and I hope I have answered those points satisfactorily.

The Deputy Minister of Finance (Shri B. R. Bhagat): Mr. Speaker, Sir, since a number of my colleagues have intervened in this debate and answered all the relevant points raised, there is nothing much for me to say except on two or three points which still remain unanswered, and it is my duty to reply to them briefly. Therefore, I will not take much time of the House.

I first take up the point raised by Shri A. C. Guha about the calculation of Rs. 4 crores as the annual income from the increased levy of excise duty on coal. He asked how this amount was calculated. It is known that the duty has been increased from 88 nP. per ton to Rs. 1·68 per ton, that is, by 80 nP. per ton, in respect of coal and soft coke, and by Rs. 1:20 per ton on hard coke. The production of hard coke is negligible. The total quantity of coal and soft coke despatched annually is estimated at 50 million tons which, at the rate of 88 nP. per ton, would give an annual additional revenue of Rs. 4 crores.

Shri A. C. Guha: This is on the present raising of coal, but every year it will go up.

Shri B. R. Bhagat: We cannot calculate that. On the present raising, we have calculated Rs. 4 crores, and that is simple arithmetic.

Another point was about our going in appeal to the Supreme Court in regard to the enhanced compensation that was granted by the tribunal. The hon. Member, Shri Bal Raj Madhok, said that this is misuse of Government money. I am surprised at that remark. The pay compensation which was originally fixed was Rs. 14 per sq. yd. Later on, some landlords went to the tribunal which fixed it at Rs. 5, which was more than five times, and on the advice of the Ministry of Law,—the Finance Ministry, the Ministry concerned, that is, the Ministry of Rehabilitation, the Improvement Trust, the local Delhi Administration, all agreed that the price was not only high but rather very high—we went to the Court. The matter is at present with the Court. So, it is just to save the interest of the Government that we have gone to the court. Perhaps, owing to political reasons or some other reasons, the hon. Member said that this was misuse of Government money, to go to the court. We went to the court because, from all accounts, we considered that the compensation was very exorbitant.

There is the other point about the *ad hoc* grant paid to the Governments of Gujarat and Punjab in regard to the taking over of the subsidiary banks, namely, the State Bank of Patiala and the State Bank of Saurashtra. Shrimati Ila Palchoudhuri asked how this was an *ad hoc* grant and said that it was just a simple grant. I may point out that it does not form part of any routine grant. It has been considered on a special basis, and I shall explain how it was on a special basis that this payment was made. As provided in the Act passed by this Parliament, under the first Schedule of the Subsidiary Banks Act, 1959, read with section 14, the compensation which was determined was the excess realisable in the value of the assets of the bank over the total amount of liabilities. This was the compensation determined by the Act passed by this Parliament and the compensation was given. But then the State Governments of Gujarat and Punjab pointed out that in fixing this compensation we have not taken into account the annual profits made by these two banks. On looking into the accounts, we saw that they were taking credit for the profit in their yearly budgets and

[Shri B. R. Bhagat]

their ways and means position was affected and their finances were to be significantly affected. So, on the one hand, the point raised by them, namely, that these should be taken into account, was very pertinent. On the other hand, as the Act stood, we could not make any discrimination in respect of these two publicly owned undertaking—the State Banks of Saurashtra and Patiala—and fix compensation on a higher basis when we do not apply the same terms in respect of other institutions. So, there were legal and other reasons which prevented us from giving them a higher compensation. Therefore, we decided to make an *ad hoc* grant to these Governments.

It was asked whether this grant will be a recurring grant. No. It is given once for all; it is a non-recurring *ad hoc* payment that was made.

Shri A. C. Guha: Is it something in excess of what the Act has permitted to the State Bank?

Shri B. R. Bhagat: Yes; then, it was asked what the actual amount is. The amount of compensation paid by the State Bank of Gujarat in respect of the State Bank of Saurashtra, is Rs. 1,65,62,500. The non-recurring grant paid by the Central Government in excess of this is Rs. 1,34,37,500. This was determined on the basis of the last three years' actual profits which accrued to them. Similarly, in the case of Punjab, the compensation paid was Rs. 70,19,200. The non-recurring grant paid by the Central Government is Rs. 22,80,800.

Shri A. C. Guha: As provided in the supplementary demands?

Shri B. R. Bhagat: Yes; that in the *ad hoc* payment—Rs. 22,80,800.

With these words, I submit that the supplementary demands may be accepted by the House.

Mr. Speaker: Yesterday certain cut motions were moved by Shri Bharucha, Shri Tangamani and Shri L. Achaw Singh while speaking on the Demands for Supplementary Grants. On the 28th August, Shri Panigrahi and Shri P. R. Assar had sent in slips to the Table indicating the cut motions which they wished to move. Their cut motions are:—

Shri Panigrahi—Cut Motion Nos. 4 and 10.

Shri P. R. Assar—Cut Motion Nos. 2, 3, 7, 11, 14, 15. 19 and 20.

Hon. Mmbers may move the cut motions subject to their being otherwise admissible.

Payment of additional subsidies to Sikkim and Bhutan for financing their Plans.

Shri Panigrahi: I beg to move:

"That the demand for a Supplementary Grant of a sum not exceeding Rs. 1,56,15,000 in respect of 'External Affairs' be reduced by Rs. 100." (4).

Payment of subsidy to the sugar industry for meeting the loss on export of sugar.

Shri Panigrahi: I beg to move:

"That the demand for a Supplementary Grant of a sum not exceeding Rs. 5,50,00,000 in respect of 'Miscellaneous Departments and other Expenditure under the Ministry of Food and Agriculture' be reduced by Rs. 100." (10).

Failure of our Embassies and Missions to propagate effectively India's stand about Kashmir and China's aggression.

Shri Assar: I beg to move:

"That the demand for a Supplementary Grant of a sum not exceeding Rs. 1,56,15,000 in respect of 'External Affairs' be reduced by Rs. 100." (2).

Need for curtailment in the expenditure of our Embassies and Missions abroad.

Shri Assar: I beg to move:

"That the demand for a Supplementary Grant of a sum not exceeding Rs. 1,56,15,000 in respect of 'External Affairs' be reduced by Rs. 100." (3).

Policy of the Government towards small banks

Shri Assar: I beg to move:

"That the demand for a Supplementary Grant of a sum not exceeding Rs. 1,000 in respect of 'Grants-in-Aid to States' be reduced by Rs. 100." (7).

Failure to minimise the cost of production of sugar

Shri Assar: I beg to move:

"That the demand for a Supplementary Grant of a sum not exceeding Rs. 5,50,00,000 in respect of 'Miscellaneous Departments and other Expenditure under the Ministry of Food and Agriculture' be reduced by Rs. 100." (11).

Defect in selection of the films for awards.

Shri Assar: I beg to move:

"That the demand for a Supplementary Grant of a sum not exceeding Rs. 75,000 in respect of 'Ministry of Information and Broadcasting' be reduced by Rs. 100." (14).

Failure to keep proper check on the production of the films which demoralise the character of our young generation.

Shri Assar: I beg to move:

"That the demand for a Supplementary Grant of a sum not exceeding Rs. 75,000 in respect of 'Ministry of Information and Broadcasting' be reduced by Rs. 100." (15).

Failure of the Commission to submit their report in time

Shri Assar: I beg to move:

"That the demand for a Supplementary Grant of a sum not exceeding Rs. 3,01,000 in respect of 'Miscellaneous Expenditure under the Ministry of Law' be reduced by Rs. 100." (19).

Terms of reference of the Commission in view of the National Integration.

Shri Assar: I beg to move:

"That the demand for a Supplementary Grant of a sum not exceeding Rs. 3,01,000 in respect of 'Miscellaneous Expenditure under the Ministry of Law' be reduced by Rs. 100." (20).

Mr. Speaker: Shall I put all the cut motions to the House?

Shri Tangamani (Madurai): My cut motion No. 9 relating to failure to control of cost of production of sugar may be put separately?

Mr. Speaker: The question is:

"That the demand for a Supplementary Grant of a sum not exceeding Rs. 5,50,00,000 in respect of 'Miscellaneous Departments and other Expenditure under the Ministry of Food and Agriculture' be reduced by Rs. 100. *Failure to control cost of production of sugar*". (9).

The motion was negatived.

Mr. Speaker: I shall now put all the other cut motions to the House.

The cut motions were put and negatived.

Mr. Speaker: The question is:

"That the respective Supplementary sums not exceeding the amounts shown in the third column of the order paper be granted to the President to defray the charges which will come in course of payment during the year ending 31st day of March, 1962, in respect of the following demands entered in the second column thereof—

Demands Nos. 18, 32, 34, 42, 61, 73, 85 and 132."

The motion was adopted.

[*The motions for Demands for Supplementary Grants which were adopted by the Lok Sabha are reproduced below*—Ed.]

DEMAND NO. 18—EXTERNAL AFFAIRS

That a supplementary sum not exceeding Rs. 1,56,15,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962 in respect of 'External Affairs.'

DEMAND NO. 32—MISCELLANEOUS DEPARTMENTS AND OTHER EXPENDITURE UNDER THE MINISTRY OF FINANCE.

That a supplementary sum not exceeding Rs. 1,090 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962 in respect of 'Miscellaneous Departments and other Expenditure under the Ministry of Finance.'.

DEMAND NO. 34—GRANTS-IN-AID TO STATES

That a supplementary sum not exceeding Rs. 1,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962 in respect of 'Grants-in-aid to States'.

DEMAND NO. 42—MISCELLANEOUS DEPARTMENTS AND OTHER EXPENDITURE UNDER THE MINISTRY OF FOOD AND AGRICULTURE

That a supplementary sum not exceeding Rs. 5,50,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962 in respect of 'Miscellaneous Departments and other Expenditure under the Ministry of Food and Agriculture'.

DEMAND NO. 61—MINISTRY OF INFORMATION AND BROADCASTING

That a supplementary sum not exceeding Rs. 75,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962 in respect of 'Ministry of Information and Broadcasting'.

DEMAND NO. 73—MISCELLANEOUS EXPENDITURE UNDER THE MINISTRY OF LAW.

That a supplementary sum not exceeding Rs. 3,01,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962 in respect of 'Miscellaneous Expenditure under the Ministry of Law'.

DEMAND NO. 85—MISCELLANEOUS DEPRTMENTS AND OTHER EXPENDITURE UNDER THE MINISTRY OF STEEL, MINES AND FUEL.

That a supplementary sum not exceeding Rs. 2,75,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962 in respect of 'Miscellaneous Departments and other Expenditure under the Ministry of Steel, Mines and Fuel'.

DEMAND NO. 132—CAPITAL OUTLAY OF THE MINISTRY OF STEEL, MINES AND FUEL.

That a supplementary sum not exceeding Rs. 4,58,00,000 be granted to the President to defray the charges which will come in course of payment during the year ending the 31st day of March, 1962 in respect of 'Capital Outlay of the Ministry of Steel, Mines and Fuel'.

12.42 hrs.

INDIAN PENAL CODE (AMENDMENT) BILL

The Minister of State in the Ministry of Home Affairs (Shri Datar): I beg to move:

"That the Bill further to amend the Indian Penal Code, be taken into consideration."

This is a short matter and I presume it is perfectly non-contentions also. The object of this Bill is to amend Section 153A and also to effect minor amendments in sections 295A and 505.

The object of this Bill has been clearly mentioned in the Statement of Objects and Reasons. Those who are aware of the unfortunate happenings during last year or so are aware that in India there are certain forces which are not only antinational, but also which provoke certain feelings of hatred. They go to the extent of creating want of harmony between people and people either on the ground of race, language or religion or similar other fissiparous tendencies. The country has suffered to a large extent on such writings, speeches and actions as well. It is, therefore, necessary that some steps should be taken —postive and constructive steps—for achieving what is known as national integration, the integration of the nation in the fullest sense of the term, in spite of all disturbing tendencies to the contrary.

In this connection, as you are aware, the Congress appointed a National Integration Committee some months ago. Their report is before the public. The report was fully considered by Chief Ministers of the various States. The National Integration Committee made a recommendation that section 153A of the IPC should be suitably amended and effectively enforced. The Chief Ministers met twice in Delhi and considered the matter not only so far as these sections are concerned, but they approached the problem from all points of view bearing on national integration. Integration has to be brought about and disintegration has to be stopped by taking a number of positive or constructive steps. In addition to that, as the House is aware, there are certain anti-national and anti-social forces. So, something has got to be done to prevent them from doing all these things. So, the question arose as to whether any amendments in the penal law of the land was essential. The question was also considered by the Chief Ministers and they said:

"Such tendencies ought to be fully curbed with a firm hand"

They suggested amendments in two Acts. The Bill to amend the IPC is before the House now. They suggested amendments to the Code of Criminal Procedure and the Representation

[Shri Datar]

of the People Act, 1951 and also widening the scope of section 153A of the IPC and section 123 of the Representation of the People Act, 1951. So far as the latter Act is concerned, the Bill has already been introduced by the Law Ministry and will be before the House for consideration at an early date.

So far as amendment to the IPC was concerned, the Chief Ministers with one voice stated that the scope of section 153A should be widening. In other words, it should be made very clear and certain other additions should be made. As the House is aware, this section 153A was introduced by the then British administration in the IPC in 1893. They put it in a general way and said:

> "Whoever by words, either spoken or written, or by signs, or by visible representations, or otherwise, promotes or attempts to promote feelings of enmity or hatred between different classes of the citizens of India"—

this has been recently added—

> "shall be punished with imprisonment which may extend to two years, or with fine, or with both."

It is found that this section was required to be more specific and that it should also mention the specific purposes. It is for this purpose that section 153A has been completely recast.

There are three objects mentioned in the new section 153A. One is prevention of promotion of hatred between community and community on grounds of—the grounds were not mentioned earlier—religion, race, language—as you are aware, language had to be mentioned on account of certain linguistic disturbances—caste or community or on any other ground whatsoever. The objective is to prevent hatred between communities.

Now, the various grounds that are generally availed of for the purpose of generating such hatred required to be specifically mentioned. Therefore, in the new clause we have mentioned religion, race, language, caste or community and then the general expression "or any other ground whatsoever". Then there is "feelings or enmity or hatred between different religious, racial or linguistic groups, castes or communities". So far as this portion of the new section is concerned, it had its genesis in 153A, though it did not specifically mention the various purposes for which hatred was created or was being created here and there.

In addition to this, it was considered necessary that there ought to be some further specific offences on two grounds. One was the doing or the committing of an act which was prejudicial to the maintenance of harmony. As you are aware, in section 153A, sub-clause (c) it is said: "words either spoken or written or by signs or by visible representations or otherwise". There were occasions when certain acts were done which had the effect of disturbing harmony between people and people on account of religion etc. Therefore, this has been specifically made into a separate offence. The wording now is:

> "commits any act which is prejudicial to the maintenance or harmony between different religious, racial or language groups or castes or communities and which disturbs or is likely to disturb the public tranquility."

So far as the generation of such feelings of hatred is concerned, it does not stop at it. As we know, it goes on further and it says: "public tranquillity is disturbed" leading to untoward results. That is the reason why it had to be further mentioned here: "it disturbs or is likely to disturb public tranquillity". Therefore, this is one of those measures which we have to undertake for the purpose of achieving national integra-

tion. This is so far as the penal field is concerned.

Now, here also, the offences that are committed are of a fairly serious nature. When section 153A was introduced in the Indian Penal Code in 1893, they fixed the maximum punishment at two years. Now it was considered that two years might not be a sufficiently deterrent punishment. Therefore, for the new offence or offences it has been stated that the offenders be punished with imprisonment which may extend to three years or with fine or with both.

Then, in addition to this, which is the most substantive offence that has been created by this,—in Section 295A certain further words have been added: "by words either spoken or written or by signs or by visible representation or otherwise". These explanations or illustrations are generally to be found in all penal laws. Therefore, it was considered that this should be added to Section 295A. Here also it was felt that the punishment fixed in Section 295A was not sufficient, was not adequate for meeting ends of justice. Therefore, "three years" have to be substituted for "two years."

Lastly, in section 505 of the Indian Penal Code, for the words, "two years" the words "three years" have to be substituted.

These are the main changes that have to be brought about and I place them before this hon. House for consideration. I am quite confident that the House will take into account the whole background of the last year or so. It is entirely unfortunate that instead of developing the national unity there are forces in India that are trying to disrupt nationalism, to lay over-emphasis on certain aspects of private or public life like religion, language or other things.

So far as religion is concerned, as the House is aware, one English poet has stated that religion ought to be a matter between man and man and religion ought to bind people together. That is the etymological meaning of the word "religion". But in its application, as we see now, it disrupts people. I have writings before me which I will not place before this House for fear of tiring it but, unfortunately, there are forces in India which rely more on a divisional aspect of these questions than on a unificatory one.

After all, as you are all aware, India is a great land. Its greatness has been derived from times immemorial, and India's greatness lies in the fact of its unity in spite of diversities or varieties here and there. Diversities or varieties ought not in any way to divide man from man, and there one has to be very careful. Sometime ago, as you are aware, we had a certain Private Member's Resolution where he wanted to consider that certain religions were not the original religions in India. Then there are certain persons who consider that India is the land of only members belonging to one community. They say that so far as the other communities are concerned they can live in India only at the mercy of other people. There are such unfortunate writings, and unfortunate speeches made here. They are done in the heat of the moment and on account of not realising in what the interest of India lies.

It is necessary that all of us will have to try to evolve an integrity, to evolve a unity, in spite of these circumstances which we ought to bring together; because they might add to the diversity of the whole position but they should not add all to the bitterness of relations between people and people. That is the reason why India is a land of amity, a land of unity. When I see my hon. friend Bharucha here I remember the Parsis that came to India long ago and got shelter here. In spite of their being in the smallest number, they are living in India in peace as independent citizens of India and they are having all the rights. That is to the glory both of India and

[Shri Datar]

of the Parsi community. Similarly also, there are people here and there who ought to live together in spite of their religions being different, who ought to live together though their languages are different.

After all, there are common elements even in respect of languages. Most of the languages in the north, east and west are derived from Sanskrit. So far as the southern languages are concerned, as you are aware, they are derived largely from Sanskrit. Thus we have in India a variety of languages but bearing common resemblance and dealing with the same culture which I would not like to call a uniform culture but a composite culture consisting of the various people and the various ideas. That is the reason why India has had a glorious past and in my opinion India ought to have a still glorious future as well in spite of these things which ought to bind us together. If I speak one language and another man speaks another language, that ought to be a disturbing circumstance, that ought not to be a dividing circumstance. You are aware, Sir, that when the States Re-organisation Commission made their report, they put down one sentence which is proverbial to a large extent, which is also prophetic. They have said that language is the unifying factor. To a large extent, it is true. But they also stated that a language might be dividing factor as well. Now, unfortunately, to our great grief and misery, we find that it has been so among certain sections of the people. Therefore, it ought to be our aim to take stock of the whole situation and to bring about certain necessary reforms, including the proper mental adjustment which, according to me, is the most important thing for the purpose of welding the commonness between the different sections of the Indian population, and not dividing them on account of these apparently dividing circumstances. They are not really dividing circumstances at all.

13 hrs.

There are countries in the world where they have got a large number of languages which are all considered as official languages. There are several countries also where there are different religions. All the same, it is India's privilege to weld unity out of these apparently dividing circumstances. That is the reason why all of us have to take steps, positive steps mind you, for bringing about what is known as national integration. India is one and has to be one in spite of all these apparently dividing circumstances.

If after taking certain constructive steps and implementing them for emotional integration, there unfortunately remain certain elements, anti-social elements, which are keen on giving unwarranted importance only to certain circumstances, and if their actions lead to certain undesirable results like, for example, generation of hatred between community and community, or the prevention of harmony between people and people, then you would agree that there ought to be penal provisions sufficient to enable Government to take strong action against such people. That is why we have to move in different directions and not in one direction only, so far as the present question is concerned.

We are trying to tighten the penal law for the purpose of making it impossible for the people to carry on in such a way that thereby hatred is created between community and community on account of certain circumstances which, as I have already said, ought to unite us together rather than disunite us. That is the reason why it has been considered necessary that in the Bill itself section 153A ought to be specifically mentioned as to the circumstances on the basis of which attempts are made to divide man from man. Therefore, they have been fully mentioned and we have treated them as offences, when persons do certain acts which are prejudicial to the

maintenance of harmony and disturb, or is likely to disturb, public tranquility. Public tranquiliy has to be kept at all costs and harmony has to be introduced, because if these preliminary things are not there, then India will not develop at all. In spite of many Plans that we are having, unless we have a strong foundation of the unity of the land and the emotional integration of the land, unless we lay curbs upon certain anti-social elements and prevent them from doing certain things, and if they do them, punish them properly and adequately, Indian will not progress, and that is the reason why this Bill has been brought forward. It is one of the various steps which, with the concurrence of the hon. Memebrs, the Government here and the Governments in the States have to undertake for the purpose of achieving this greatest objective that we have at present, namely, national integration.

Then, certain hon. Members have brought forward amendments to the effect that it ought to be circulated for the purpose of eliciting public opinion. I do not know why public opinion has to be elicited, because public opinion is already there. We have ascertained public opinion ...

An Hon. Member: How.

Shri Datar: ....In various ways. The Chief Minister's opinion is the representative opinion of the public of that State.

An Hon. Member: The opinion of a Chief Minister cannot be called the public opinion.

Shri Datar: Therefore, the sooner such a Bill is brought forward and given effect to, the sooner we curb the activities of such anti-social people, the better for the nation. So, I am not in favour of agreeing to such a course which, I would say with all humility, is only a dilatory one.

My hon. friend, Shri Naldurgkar has brought forward, as is his wont, a number of amendments which have nothing substantial in them. For example, instead of the word "promotes" he uses the words "propagates" or "encourages".

Therefore, I would submit, so far as the present Bill is concerned, it should be treated as an organic one, as a part of the larger measure of national integration that we propose to have. So, I would submit this Bill as it is for the consideration and approval of the hon. Members of this House and I am confident that it will have the fullest support from all sections of the hon. House.

Mr. Speaker: Motion moved:

> "That the Bill further to amend the Indian Penal Code, be taken into consideration."

Some amendments have been tabled to this motion. So far as the amendment by Shri H. N. Mukerjee that the consideration of the Bill be postponed to the next session is concerned, I rule it out of order as dilatory. So far as the amendments by Shri Naldurgkar

Shri Tyagi (Dehra Dun): May I know whether the amendments are to be discussed in the general discussion?

Mr. Speaker: The motion is that the consideration of the Bill should be taken up immediately. To that there are amendments by hon. Members that the Bill be circulated for eliciting public opinion.

Shri Tyagi: They will be considered at the stage when the amendments are taken up.

Mr. Speaker: No. As soon as a motion is moved that a Bill be taken into consideration, any hon. Member can move an amendment that the

[Mr. Speaker]

Bill may be sent round for eliciting public opinion or that it may be referred to a Select Committee. Then I will put the amendments to the vote of the House. The House will discuss the motion for consideration along with the amendments to that motion for consideration.

Shri Tyagi: Then somebody can oppose the Bill altogether.

Mr. Speaker: Oh, yes; certainly. He can throw it out also. Now, does Shri Vajpayee want to move his amendment?

Shri Vajpayee (Balrampur): Yes, Sir.

Mr. Speaker: Regarding the amendment of Pandit Brij Narayan Brajesh, I find that he is not present.

Shri Tangamani (Madurai): What about the amendment for postponement of consideration?

Mr. Speaker: I have ruled it out of order. I am now calling Shri Vajpayee. After that, I will call Shri H. N. Mukerjee. I will give opportunity first to those who have moved or given notice of amendments. Hon. Members will have fifteen minutes each.

श्री वाजपेयी : अध्यक्ष महोदय, मैं यह प्रस्ताव करता हूं कि इस विधेयक को १५ मार्च, १९६२ तक जनमत जानने के लिये प्रसारित किया जाये ।

विधेयक में जिन उद्देश्यों का स्पष्टीकरण किया गया है, उन से ज्ञात होता है कि देश में साम्प्रदायिक और विघटनकारी मनोवृत्तियों के निर्मूलन के लिये सरकार जो अनेक कदम उठाने जा रही है, उन में से एक के अन्तर्गत यह विधेयक प्रस्तुत किया गया है । इस में भारतीय दंड विधान की धारा १५३ए का विस्तार किया गया है, जिस से मजहब, जाति, भाषा और सम्प्रदाय, इन सब को उस में समावेश किया जा सके । परिभाषा को विस्तृत बनाया गया है और दंड के रूप में दो साल के बजाय तीन साल की सजा की व्यवस्था की गई है ।

गृह-मंत्री महोदय ने विधेयक को प्रस्तुत करते हुये राष्ट्रीय एकीकरण का उल्लेख किया, इस के लिये कांग्रेस पार्टी ने जो समिति बनाई है, उस के लिये निर्णय की चर्चा की, मुख्य मंत्रियों ने जो फसले किये हैं, उनका उल्लेख किया और इस बात का प्रतिपादन किया कि राष्ट्रीय एकीकरण के लिये रचनात्मक और भावात्मक कदम उठाने के साथ साथ कुछ दंडात्मक कदम भी उठाने चाहियें । सचमुच में स्वतंत्रता के पंद्रहवें वर्ष में हम राष्ट्रीयकरण के लिये कानूनी कदम उठाने की बात करें, राष्ट्रीय एकीकरण के लिये हम ने इन पन्द्रह वर्षों में जो भी प्रयत्न किये हैं, यह उनकी विफलता का परिचायक है और इस विफलता के लिये वर्तमान शासन अपने उत्तरदायित्व से मक्त नहीं हो सकता और जो पार्टी इस शासन को चला रही है, वह भी अपनी जिम्मेदारी से नहीं बच सकती ।

पंडित कृ० चं० शर्मा (हापड़) : इसी लिये तो यह कानून लाया गया है ।

श्री वाजपेयी : स्वतंत्रता के पंद्रहवें वर्ष में हम राष्ट्रीय एकीकरण के लिये कदम उठाने जा रहे हैं । क्या हम यह स्पष्ट समझते हैं कि राष्ट्रीय एकीकरण से हमारा अभिप्राय क्या है ? क्या राष्ट्रीय एकीकरण की समस्या केवल कानून की, पुलिस की, दंड की समस्या है ? इंडियन पीनल कोड का जो प्रावधान था, क्या वह पर्याप्त नहीं है ? यदि दो साल के बजाय तीन साल की सजा दी गई, तो क्या विघटनकारी मनोवृत्तियां सिर नहीं उठायेंगी ? क्या केवल परिभाषा को विस्तृत करने से ही हमारा उद्देश्य पूरा हो जायेगा ? मैं आशा करता था कि गृह-मंत्री महोदय इस सदन के सामने

ऐसे मामले रखेंगे, जिन से साबित हो सके कि परिभाषा संकुचित और संकीर्ण थी और उस में मजहब और भाषा का समावेश नहीं था, इस लिये इतने मामलों में सजा नहीं दी जा सकी, इस लिये विघटनकारी प्रवृत्तियां बढ़ गई और राष्ट्रीय एकीकरण खतरे में पड़ गया । उन्होने ऐसे कोई मामले नहीं रखे कि जिन में परिभाषा के संकुचित होने के कारण दंड प्राप्त करने वाले सजा नहीं पा सके । फिर इस परिभाषा को बढ़ाने का क्या कारण है ? क्या पुरानी परिभाषा के अन्तर्गत मजहब के नाम पर मनुष्य मनुष्य के बीच में भेद भाव करने वाले, संघर्ष पैदा करने वाले व्यक्ति को सजा नहीं मिल सकती थी ? क्या पुराने विधान के अन्तर्गत भाषा के नाम पर जाति और जाति के बीच में वैमनस्य उत्पन्न करने वाले को दंडित नहीं किया जा सकता था ? अगर इस सदन के सामने ऐसे मामले लाये जाते, जिन से यह पता चलता कि सरकार सजा देना चाहती थी, लेकिन दे नहीं सकी, क्योंकि परिभाषा संकुचित थी और उसमें मजहब, भाषा, जाति, इन सब का समावेश नहीं था, तो हम विधेयक की उपयोगिता को समझ सकते थे, लेकिन ऐसे कोई उदाहरण सदन के सामने नहीं लाये गये । इस लिये मेरा निवेदन है कि सरकार जो संशोधन करने जा रही है, वे संशोधन आवश्यक नहीं हैं ।

परिभाषा को विस्तृत करते हुए उस में से स्पष्टीकरण को भी निकाल दिया गया है । मनुष्य मनुष्य के सम्बन्ध अच्छे रहें, साम्प्रदायिक सद्भावना रहे, मजहब का शोषण न किया जाये, जाति के आधार पर लोगों की हीन भावनाओं को उत्तेजित न किया जाये, इस में कोई मत-भेद नहीं है । लेकिन मैं गृह-मंत्री से यह पूछना चाहता हूं कि पुरानी धारा १५३ए में जो स्पष्टीकरण है, उसको निकालने का क्या कारण है । अगर कोई ईमानदारी से यह मांग करे कि उन परिस्थितियों को दूर किया जाये, जिन से साम्प्रदायिकता पैदा होती है, तो इस नये संशोधन के अन्तर्गत वह ऐसा काम नहीं कर सकता । नये संशोधन के अंतर्गत वह सजा का भागी होगा । आज हमारे देश में ऐसे कई तत्व मौजूद हैं, जिन के रह देश में राष्ट्रीय एकीकरण असम्भव नहीं तो कठिन अवश्य है । मैं आपके सामने एक उदाहरण रखना चाहता हूं इस विषय में संसद् में एक विधेयक भी पेश हुआ है । देश में कुछ ऐसे पूजा के स्थान हैं, जिन को पिछले हजार, पांच सौ वर्षों में दूसरे मजहब के मानने वालों ने उन के मूल उपासकों से छीन कर अपने अधिकार में कर लिया, चाहे वह कृष्ण जन्म-स्थान हो, चाहे राम जन्म-स्थान हो, चाहे वह काशी विश्वनाथ का मन्दिर हो । उन परिस्थितियों में जाने की आवश्यकता नहीं है, मगर स्वतंत्रता के बाद यदि हम राष्ट्रीय एकीकरण चाहते हैं, तो क्या यह मांग करना एकीकरण के हित में नहीं है कि सम्प्रदायों के बीच में इस प्रकार के भेद पैदा करने वाले, पुरानी कटुता को, बर्बरता और अत्याचारों की स्मृति को ताजा रखने वाले जितने भी पूजा के स्थान हैं, फिर चाहे वे किसी भी सम्प्रदाय के हों, अगर उन को खंडित और भ्रष्ट कर के दूसरे सम्प्रदाय ने उन पर अपने पूजा के स्थान बनाये हैं, तो दोनों सम्प्रदाय मिल कर, बैठ कर, परस्पर विचार-विनिमय कर के, सद्भावना से उन पूजा के स्थानों को उन के मूल उपासकों को वापस कर दें ? क्या साम्प्रदायिक एकता के लिये, राष्ट्रीय सद्भावना के लिये यह आवश्यक न होगा ?

यह ठीक है कि इस प्रश्न को यदि कोई सम्प्रदायों के सम्बन्ध बिगाड़ने के लिये उपयोग में लाता है, तो वह ग़लत है और उस की निन्दा होनी चाहिये, लेकिन ईमानदारी से अगर कोई यह मांग करता है—

—जब डा० कैलाशनाथ काटजू गृह मंत्री थे, तो उन्हों ने एक लेख में यह मांग की थी,

[श्री वाजपेयी]

जिस की प्रतिक्रिया भी हुई थी, कि इस प्रकार के जितने भी पूजा के स्थान हैं, वे उन के मूल उपासकों को वापस कर देने चाहियें —, अगर कोई वर्ग या संगठन ईमानदारी से यह अनुभव करता है तो स्पष्टीकरण को निकाल देने के बाद वह ऐसी मांग नहीं कर सकता। इस कानून को इतना व्यापक बनाया जा रहा है कि अब नीयत को कसौटी पर नहीं कसा जायगा, उद्देश्य नहीं देखा जायगा, मन्तव्य की परीक्षा नहीं की जायगी और उस को इस कानून के अन्तर्गत दंड का भागी बनना पड़ेगा ।

जहां तक परिभाषा का व्यापक बनाने का सवाल है, मजहब के साथ साथ भाषा भी लाई गई है । भाषा अभी हमारे देश में बड़े विवाद का विषय है—कुछ विवाद का विषय हो गई है और कुछ बना दी गई है । उदाहरण के लिये अंग्रेजी और हिन्दी का विवाद है । भारत के संविधान में यह व्यवस्था की गई थी कि १९६५ तक अंग्रेजी का स्थान हिन्दी को ले लेना चाहिये, मगर संविधान के द्वारा निर्धारित अवधि के भीतर यह परिवर्तन नहीं किया गया । अब यदि यह मांग की जाय कि हिन्दी को उस के योग्य स्थान मिलना चाहिये, राज काज में, अन्तर्प्रान्तीय व्यवहार में हिन्दी प्रयुक्त होनी चाहिये, तो क्या वह इस नये संशोधन के अन्तर्गत सजा का एक कारण बनेगी । पंजाब का भाषा विवाद हम जानते हैं । असम की भाषा समस्या हमारे सामने है । असम में बंगला को भी स्थान मिलना चाहिये, यह मांग इस संशोधन को स्वीकार करने के बाद नहीं की जा सकेगी । सवाल हिन्दी का या बंगला का नहीं है, यदि कोई ईमानदारी से यह समझता है कि अंग्रेजी कायम रहनी चाहिये कयामत तक तो मैं उस से मतभेद जरूर रक्खूंगा, लेकिन मैं उस को उस के विचारों के प्रचार की पूरी छूट देना चाहूंगा । लेकिन आप ने तो भाषा के सवाल पर एक ऐसा संशोधन रख दिया है कि भाषा के विवाद में अपनी प्रामाणिक राय प्रकट करना भी जुर्म के अन्तर्गत आ सकता है । आप कहेंगे कि सामान्यतः इसे लाग नहीं किया जायेगा जब तक संघर्ष पैदा न हो, जब तक उस से सम्प्रदायों के बीच में कटुता पैदा न होगी, तब तक वह इस संशोधन के परिधि में लाया नहीं जायेगा । लेकिन म देखता हूं कि कटुता पैदा हो जाती है, कभी कभी कटुता पैदा की जाती है । परन्तु अगर शान्ति और व्यवस्था भंग होती है तो उस के लिये इंडियन पेनल कोड में अलग विधान हैं, उन के अन्तर्गत सजा दी जा सकती है । अगर कोई व्यक्ति कानून अपने हाथ में लेता है, किसी के जीवन को, किसी की सम्पत्ति को क्षति पहुंचाता है तो उस के लिये अलग सजा की व्यवस्था है । क्या इस परिभाषा को विस्तृत बनाने में इस बात की आशंका नहीं है कि इस का दुरुपयोग किया जायेगा ?

अध्यक्ष महोदय, चुनाव के छः महीने पहले इस प्रकार का अनावश्यक संशोधन करना, सरकार के हाथ में ऐसे व्यापक अधिकार देना, जिन का दुरुपयोग हो सके, किसी भी दृष्टि से वांछनीय नहीं । राज्य मंत्री महोदय ने मुख्य मंत्रियों के किसी सम्मेलन की और उस में हुए फैसलों की चर्चा की थी । जहां तक समाचारपत्रों से पता लगता है, मुख्य मंत्रियों ने यह फैसला किया है कि अगर कोई यह मांग करेगा कि वह भारत के किसी हिस्से को भारत से अलग करना चाहता है, तो यह भी जुर्म होगा ।

Mr. Speaker: I think a copy of the proceedings or the decisions was placed on the Table of the House?

The Minister of Home Affairs (Shri Lal Bahadur Shastri): Yes.

Mr. Speaker: It was placed on the Table of the House, and hon. Members had copies of it. They wanted to have copies. The hon. Prime Minis-

ter said, the whole thing has appeared in the newspapers, why give copies. Copies were circulated also.

श्री वाजपेयी : उस में यह निर्णय किया गया है कि अगर भारत से किसी भाग को अलग करने की मांग की जायेगी तो वह अपराध होगा, लेकिन यह चीज अभी लागू नहीं होगी, आम चुनावों के बाद लागू की जायेगी ।

Shri Goray (Poona): That is what the Chief Minister of Madras said.

श्री वाजपेयी : क्योंकि उन को यह आशंका है कि उन के ऊपर आरोप लगाया जायेगा कि आम चुनाव में विरोधी दलों के मार्ग में असुविधा उत्पन्न करने के लिये शायद कानून बनाया जा रहा है। मैं समझता हूं कि देश के किसी भाग को देश से अलग करने की मांग करना बड़ा भारी जुर्म है । लेकिन अगर आम चुनाव को दृष्टि में रख कर उस का लागू करना रोका जा सकता है . . .

Shri Tyagi: Is that a fact? I would like to ascertain. Have they taken a decision that this should be held over until the elections are over?

Shri Vajpayee: It may be verified from the hon. Minister. This is what appeared in the papers.

Mr. Speaker: The hon. Member will have his opportunity.

Shri Tyagi: I wanted a clarification.

Mr. Speaker: Such a kind of interruption. . . .

Shri Tyagi: Too serious a charge.

Mr. Speaker: Order, order. The hon. Member Shri Vajpayee has only been saying that one of the Chief Ministers or so said that so far as making an offence the demand for making any Indian territory separated from India is concerned, that need not be given effect to until the elections are over.

Shri Tyagi: Is that so?

Mr. Speaker: Very well. Why should he not wait? Immediately shall I go on examining one statement after another? What is the hurry? Will an experienced parliamentarian go on interrupting like that? Let him go on. If it is false, if it is incorrect, it will be replied to.

श्री वाजपेयी : मेरा निवेदन है कि जो भी मुख्य मंत्रियों द्वारा निर्णय किये गये हैं यदि वे किसी, एक प्रान्त में वहां की विशेष परिस्थिति को देखते हुए या आम चुनाव को दृष्टि में रख कर स्थगित किये जा सकते हैं, तो कोई कारण नहीं है कि इंडियन पेनल कोड में जो नये संशोधन किये जा रहे हैं उन के संबंध में भी लोकमत जानने का प्रयत्न न किया जाय । अंततोगत्वा साम्प्रदायिकता, जातीयता या भाषावाद का निराकरण कानून से या पुलिस के डंडे से नहीं हो सकता । इस के लिये तो लोगों के दिलों और दिमागों में जो संकीर्णता अनेक कारणों से प्रविष्ट हो गई है उस को दूर करना होगा, और यह आवश्यक है कि हम इस सम्बन्ध में जनमत का जागरण करें । इन संशोधनों के जो भी अर्थ हो सकते हैं उन के बारे में हम लोगों को बतलायें, उन्हें शिक्षित करें, जिस से जान में या अनजान में इन नये संशोधनों का उल्लंघन कर वे सजा के भागी न बनें, और इस के द्वारा राष्ट्रीय एकीकरण के लिये हम जनमत का प्रशिक्षण करें । केवल मुख्य मंत्रियों की राय से जनमत को शिक्षित करने की आवश्यकता पूरी नहीं हो सकती । गृहमंत्री महोदय ने अभी माना है कि हमें और भी रचनात्मक विधायक कदम उठाने पड़ेंगे । इस के लिये सर्वदलीय सम्मेलन की योजना की जा रही है । मैं समझता हूं कि सम्मेलन केवल जनमत के जागरण और प्रशिक्षण के लिये ही हो । अतः मेरे संशोधन को स्वीकार करने में सदन को कोई आपत्ति नहीं होनी चाहिये ।

[श्री वाजपेयी]

इस से हमारे दोनों उद्देश्य पूरे होंगे। हम इस विधेयक में जो परिभाषा विस्तृत कर रहे हैं और दंड में वृद्धि कर रहे हैं तथा मजहब के साथ जाति, सम्प्रदाय, भाषा आदि का जो समावेश कर रहे हैं, उन के बारे में भी लोगों को जानकारी होगी। उनके दिल और दिमाग तैयार होंगे उन आवश्यकताओं को पूरा करने के लिये जिन के बिना राष्ट्रीय एकीकरण नहीं हो सकता।

मेरा संशोधन इस आरोप का भी खंडन करेगा कि शासन आम चुनाव को दृष्टि में रख कर कुछ ऐसे कदम उठाने जा रही है जिन से विरोधी दलों के मार्ग में कठिनाइयां पैदा की जा सकेंगी, क्योंकि हम इस संशोधन को पीपल्स रिप्रेजेन्टेशन ऐक्ट का जो संशोधन किया जा रहा है उस से अलग कर के नहीं देख सकते। हम ने परिभाषा व्यापक कर दी। भाषा, जाति, सम्प्रदाय आदि के नाम पर अगर कोई भावनायें उभारेगा, चाहे ईमानदारी से ही उभारे, वह दंडनीय होगा और वह दंड उसे जेल के रूप म भुगतना पड़ सकता है। अगर वह जनता का चना हुआ प्रतिनिधि है तो उस को अपने प्रतिनिधित्व से भी हाथ धोना पड़ेगा। मैं समझता हूं कि ऐसा कोई भी निर्णय करने से पूर्व शासन को इस बात का ध्यान रखना चाहिये कि अभी चुनाव में छः महीने बाकी हैं। जो अधिकार शासन को अब तक थे वे विघटनकारी मनोवृत्तियों का सामना करने के लिये पूर्ण समर्थ थे, मगर यह शासन उन का उपयोग नहीं कर सका। इस लिये नये अधिकार देने की आवश्यकता नहीं है। कुछ ऐसे उदाहरण मौजूद हैं जिन में शासन इस प्रकार के अधिकारों का दुरुपयोग करने का दोषी सिद्ध हुआ है।

मैं एक उदाहरण देकर समाप्त कर दूंगा। अभी दिल्ली में एक मुस्लिम सम्मेलन हुआ था, और कांग्रेस ने, कम्युनिस्ट पार्टी ने, प्रजा सोशलिस्ट पार्टी ने अपने मुस्लिम सदस्यों को इस बात की अनुमति दे दी कि उसमें जाकर भाग लें। वे पहले कांग्रेसी हैं या मुस्लिम हैं, वे पहले मुसलमान हैं या भारतीय हैं, इस की चिन्ता किए बिना इस तरह की अनुमति दे दी गयी। वह सम्मेलन हुआ। उस सम्मेलन में ये आरोप लगाए गए कि मुस्लिम सम्प्रदाय वालों को दूसरे दरजे का नागरिक माना जाता है, उनके साथ संगठित रूप से शासन में, शिक्षा में, वाणिज्य में, व्यापार में, भेदभाव किया जा रहा है। मैं पूछना चाहता हूं कि उस सम्मेलन में दिये गये भाषणों से, उसमें किये गये निर्णयों से देशमें साम्प्रदायिकता को बढ़ावा मिला या नहीं मिला? गृह-मंत्री महोदय इस सम्बन्ध में स्पष्ट उत्तर दें। और अगर उस सम्मेलन से साम्प्रदायिकता को बढ़ावा मिला तो फिर उसके संयोजकों के खिलाफ कोई कार्रवाई क्यों नहीं की गयी? ये इंडियन पीनल कोड की धाराएं क्यों तिजारी में बन्द करके रखी गयीं?

अब एक हिन्दू सम्मेलन की बात हो रही है। हिन्दू सम्मेलन से हम सहमत नहीं हैं। भारतीय जनसंघ ने निर्णय किया है कि हिन्दू सम्मेलन नहीं होनी चाहिये। इस हिन्दू सम्मेलन की आवश्यकता नहीं है। मगर हमारे गृह-मंत्री महोदय ने एक प्रच्छन्न धमकी दी है कि सरकार ऐसे सम्मेलनों को करने की इजाजत दे या न दे इस पर वह गम्भीरता से विचार कर रही है, और सम्मेलन के संयोजकों के कान में यह बात कही जा रही है कि अगर आप हिन्दू सम्मेलन करेंगे तो हो सकता है कि सरकार इस पर रोक लगा दे, हो सकता है कि सरकार आपको पकड़ कर जेल में बन्द कर दे। हो सकता है कि यह नया संशोधन उस प्रस्तावित हिन्दू सम्मेलन के संयोजकों के खिलाफ काम में लाया जाए। मैं जानना चाहता हूं क्या मुस्लिम सम्मेलन से साम्प्रदायिकता नहीं बढ़ी? उस सम्मेलन में यह आरोप लगाया

गया था कि इस देश की बहुसंख्यक सरकार एक सम्प्रदाय के लोगों के साथ भेदभाव का बरताव करती है, और शासन के एक भतपूर्व मन्त्री ने जाकर उस सम्मेलन में भाषण दिया जिसमें उन्होंने अपनी सरकार पर आरोप लगाया कि उनके शासन में एक सम्प्रदाय के साथ भेदभाव बरता जा रहा है । क्या उन आरोपों का खण्डन करने के लिये इस प्रकार का सम्मेलन करना साम्प्रदायिकता को बढ़ावा देना होगा ? क्या सरकार साम्प्रदायिकता को नापने के लिए दो मापदंड रख कर साम्प्रदायिकता का निराकरण कर सकती है ? क्या एक सम्प्रदाय की पृथकता की भावना को बढ़ावा देकर देश में राष्ट्रीय एकीकरण किया जा सकता है ? मगर उस सम्प्रदाय के वोट चाहियें, केवल कांग्रेस को ही नहीं और पार्टियों को भी वोट चाहिए । इसलिए उस सम्प्रदाय की साम्प्रदायिकता को छिपाया जाता है, उसके संयोजकों के खिलाफ सरकार कार्रवाई नहीं करेगी । मगर अगर उसके जवाब में, उसमें लगाए गए आरोपों का खण्डन करने के लिए कोई सम्मेलन किया जाएगा तो फिर यह सरकार——साम्प्रदायिकता जगायी जा रही है का हौआ खड़ा करेगी और अभी जो अधिकार प्राप्त किए जा रहे हैं उनका दुरुपयोग किया जाएगा । मेरा निवेदन है कि साम्प्रदायिकता का निराकरण कानून से, पुलिस के डंडे से नहीं हो सकता । इसके लिये शासन को चलाने वाली पार्टी को अपना दृष्टिकोण बदलना होगा । यह बहुसंख्यक अल्पसंख्यक की भाषा समाप्त हो जानी चाहिए ।

भारतीय जनसंघ एक असाम्प्रदायिक राज्य का हामी है । हम ऐसे राज्य के हामी हैं जिसमें मजहब के आधार पर कोई भेदभाव नहीं किया जाएगा । जनसंघ के दरवाजे देश के हर एक नागरिक के लिए खुले हैं । किन्तु उसका अर्थ यह नहीं है कि अगर कोई साम्प्रदायिक आधारों पर मांग करेगा, अगर अल्पसंख्यकों के नाम पर इस देश में पृथक् अधिकार मांगे जायेंगे, विशेष सुविधाएं मांगी जायेंगी, कोई केन्द्र का मन्त्री यह मांग करेगा कि एक सम्प्रदाय के लिये सरविसेज में अलग सुरक्षित स्थान होने चाहिएं और फिर वह भाषण करते हुए धमकी देगा कि अगर इस सम्प्रदाय को सन्तुष्ट न किया गया तो भारत स्पेन हो जाएगा.....

श्री त्यागी : सेंटर का मन्त्री ?

श्री वाजपेयी : जी हां केन्द्र के एक मन्त्री श्री हुमायुन् कबिर ने हुबली सम्मेलन में भाषण करते हुए कहा था कि यदि इस सम्प्रदाय की समस्या को हल नहीं किया गया तो भारत स्पेन बन जायेगा, भारत में गृहयुद्ध हो जाएगा । आप देखें कि यह केन्द्र के एक मन्त्री का भाषण है । यह तो गृहयुद्ध के लिये आमंत्रण है, यह तो लोगों को भड़काना और उकसाना है, मगर इसके लिये इण्डियन पीनल कोड की धाराएं काम में नहीं लायी जाएंगी, वे तो हमारे लिये गढ़ी जा रही हैं । आज कांग्रेस शासन साम्प्रदायिकता का एक हौआ खड़ा करके अपनी असफलताओं की ओर से जनता का ध्यान हटाना चाहता है । अगर शासन वास्तव में इस विधेयक की आवश्यकता समझता है तो उसे जनमत जानने के लिए हमारे प्रस्ताव का स्वागत करना चाहिए । यदि शासन हमारे प्रस्ताव को स्वीकार नहीं करना चाहता तो वह अपनी ओर से प्रस्ताव ला सकता है कि इसको सिलिक्ट कमेटी के सामने भेजा जाए ताकि उसमें बैठकर इस सदन में जिन दलों का प्रतिनिधित्व है उन दलों के प्रतिनिधि इस परिभाषा को व्यापक करने के प्रश्न पर विचार कर सकें ।

एक माननीय सदस्य : इसमें बड़ा समय लगेगा ।

श्री वाजपेयी : हमारे मित्र कहते हैं कि बहुत समय लगेगा । लेकिन अगर १५ साल में देश टुकड़े टुकड़े नहीं हो गया तो एक दो महीने में देश टुकड़े टुकड़े होने वाला नहीं है । इसलिए मेरा निवेदन है कि या तो जनमत को जानने के लिये इस विधेयक को प्रचारित किया जाए या उसे एक सिलेक्ट कमेटी में भेज

[श्री वाजपेयी]

दिया जाए और यह प्रस्ताव शासन की ओर से आना चाहिए । अगर इन दोनों बातों की उपेक्षा की गयी तो आम चुनावों को ध्यान में रखते हुए व्यापक अधिकार प्राप्त करने के इस प्रयत्न को प्रामाणिक नहीं माना जाएगा ।

Shri H. N. Mukerjee (Calcutta-Central) I am labouring under a certain difficulty because I entirely agree with the basic objective of the Bill which is to check fissiparous, communal and separatist tendencies, but my intention still is to be able to persuade Government even at this late stage to rectify those defects which have crept into this Bill, on account, quite obviously, of their not having applied their mind seriously enough to the formulation of its terms. I have actually suggested postponing consideration of this matter till the next session, but you, Sir, were pleased to direct that that cannot be a matter for discussion before this House, from a technical point of view.

Mr. Speaker: If he had said that there was a purpose in allowing it to stand over, I would have allowed it, but he has not given any purpose; he might have easily said that it may be circulated for eliciting public opinion, so that public opinion may be focussed upon this matter. He made only a bald statement that this may stand over to the next session. So, I thought that it was a dilatory motion.

Shri Tangamani: It was only for a particular purpose that he wanted postponement.

Mr. Speaker: Anyhow, that does not matter. I have disallowed it. Now, there is the other amendment in the name of Shri Vajpayee. The hon. Member may accept it.

Shri H. N. Mukerjee: Earlier this session, I had experience in relation to the Extradition Bill, and without any amendment in my name, I had suggested to the Minister in charge that because of certain lacunae in the formulation of the Bill, it should be given greater thought, and he came forward, later in the proceedings, with an amendmentf or reference of the Bill to a Select Committee. Now, in any case, I would try to explain why it is that I feel that there are certain deficiencies in the Bill as it is, even though I support the principle of it, and I feel that the objective of the Bill is so largely supported by people in our country that perhaps it is unnecessary to circulate it for the purpose of eliciting public opinion, and I say so in spite of the rather persuasive speech—in spite of certain kinks in it —which was made by my hon. friend Shri Vajpayee just now.

My hon. friend the Minister of State in the Ministry of Home Affairs had said while moving for consideration that the Congress had appointed a National Integration Committee, and it was in terms of a report which it has set out in regard to the amendment of the Indian Penal Code that this Bill was drafted. I happen to have some link with the National Integration Committee. Actually, I was invited to participate in some of its meetings, and the process of consultation with people who are outside the Congress is a continuing one, and we are going to meet later on. As far as I know, only an interim report which was very short has been issued by the National Integration Committee of the Congress, and the consultation with other people who are representatives of parties or even non-party spokesmen is continuing so that the interim report might properly be built up into something more substantial and something more constructive. I wish that Government took note of that aspect of the matter, because this problem of national integration is something which agitates people's minds so much at the present moment, and the

discussion on the Punjab yesterday indicated very clearly that there are certain matters which are hanging fire. At this objective moment to come forward with legislation that rather stridently seeks to define in a very comprehensive manner any kind of fissiparous tendency is, I think, somewhat ill-advised.

As I said earlier, I entirely agree with the objective that we have got to curb the disruptive forces which are now so particularly active in our body politic, but as my hon. friend Shri Vajpayee has said, the problem is not one which can be solved only by legislation, only by the fear of punishment. And actually this is my basic grouse against so many of the activities of the Government today, that it always takes an administrative view of things. There is a problem, and Government comes to the decision that it can be put down by making the legislation in regard to that particular matter more stringent than it had been before. Now it does not always do the job. And I was reminded of what we read a long time ago, Pope's lines:

> "How small a part of what the human hearts endure that part which the kings and laws can cause or make or cure".

or something like that. You cannot merely by legislation bring about the kind of change which we are all so very keen about as far as our country is concerned. That is why what is needed is a very well-formulated and effective Act of Parliament which will give the State all necessary powers in order to curb communalism, casteism and that kind of thing, and will prevent intrusion of religion into politics.

It is necessary also to make sure that the legislation is so formulated that democratic forces are permitted to operate, because, unless the basic democratic forces of the people are permitted to operate with all possible freedom, you will never get the kind of context which we desire. So, we want early legislation. That is why our feeling is that while we support the objective, we would only wish for some kind of improvement in the formulation of the terms of the Bill. I am only sorry that on account of our feeling that perhaps we could persuade Government to postpone consideration of this matter—and as a matter of fact, on our behalf the Home Minister had been approached earlier in this regard—we did not send in any specific amendments to put forward our point of view.

I notice also that,—Shri Vajpayee has already referred to it—this piece of legislation seems to ignore that the Indian Penal Code as it is could certainly have been invoked on occasions when it was necessary, but the amendment is now sought to be made in such a way that linguistic and other minorities who suffer from many disabilities and handicaps and who naturally do have to ventilate their genuine grievances that cry out for redress, would have some kind of difficulty.

I do not know why, for instance, the question of language has been brought in, and so very clearly in this amendment. It is said section 153A would read:

> "153A. Whoever—
>
> (a) by words, either spoken or written, or by signs or by visible representations or otherwise, promotes, or attempts to promote, on grounds of religion, race, language, caste or community or any other ground whatsoever, feelings of enmity or hatred between different religious, racial or language groups or castes or communities, or...
>
> shall be punished with imprisonment which may extend to three years, or with fine, or with both."

[Shri H. N. Mukerjee]

This is much too omnibus a provision. This is seeking to bring everything on earth which gives rise to discontent which in a democratic set-up has got to be ventilated. All that is brought within the ambit of the legislation under a section which is so drastic.

Actually, that is why I find that the cue seems to have been taken by some Members of the Government party, and my hon. friend, Shri Raghubir Sahai, has given notice of an amendment which says:

Page 1, *after* line 14, *insert* —

"(aa) wilfully misrepresents the intentions of the duly constituted Government bringing it into hatred or disrepute among the people and arousing feelings of enmity or hatred between different communities, or"

Possibly he took the cue from the largely omnibus formulation which the Minister has made, and he thought he would be more loyalist than the King, and he suggested that if any one wilfully misrepresented the intentions of the Government—Heaven knows what the intentions of anybody are—and thereby brought it into hatred or disrepute, surely the hand of the law should descend in a heavy fashion and three years imprisonment would be given.

Shri Raghubir Sahai (Budaun): Your remarks are rather premature. You should have heard me and then passed your remarks.

Shri Chintamoni Panigrahi (Puri): Surely he will hear you.

Mr. Speaker: But how can he speak afterwards?

Pandit K. C. Sharma: He anticipates your view.

Shri H. N. Mukerjee: Anyway, the wording of the amendment is very clear, and speaks for itself.

I think Government is proceeding too hastily and is not taking into consideration the difficulties which are being faced by people, especially in regard to language.

My hon. friend the Minister of Home Affairs, has recently been to Assam, and has found out the problems there, and he formulated what is known as the Shastri formula, which was quite an important contribution to the solution of the tangle there. Surely, he discovered how genuine a popular feeling, which was by no means of a subversive or fissiparous or disruptive nature, could be mobilised on an issue relating to language that the linguistic minority concerned might feel so very strongly that in the absence of any relief they would go out for direct action. That may or may not be desirable, but the point is that genuine democratic feeling, which has nothing whatever to do with subversive or disruptive ideas, can be roused over questions which agitate the minds of linguistic minorities.

In the Punjab for instance, whatever our view,—as far as we are concerned, we may be completely wrong—the fact of the matter is that over the question of language there is a great deal of feeling aroused, and you cannot merely steamroller that feeling, so to speak, by the mechanism, the apparatus of the State. It is necessary to try and understand that feeling.

Then again, I do not hold any brief for things like communalism or casteism or that kind of thing, but perhaps there are occasions when a community which has found itself suffering from certain grievances wants to ventilate its grievances: and maybe the psychology of these people, the psychology of minorities, the psychology of the people who have

thought themselves and have actually experienced themselves to be under the thumb of other people, under the feet of other people, that psychology is something which has got to be sought to be understood with sympathy and discernment and understanding, but that is not done.

I have here, for instance, a paper called the *Harijan Seva* which is published under absolutely unexceptionable auspices, which prints all kinds of reports in regard to the activities of the Commissioner of Scheduled Castes and Scheduled Tribes, prints reports of the advice that the Home Minister gives to the Harijans and all that. *Harijan Seva* is the name of this magazine, published in Delhi. In its Supplement No. 26, which I got only a few days ago, there is a reference to what the Scheduled Castes and Scheduled Tribes consider to be disabilities imposed upon them by the working of the administrative apparatus, and there is a statement which even goes so far as to say—and I am quoting from page 14 of this publication, Supplement No. 26 of the *Harijan Seva* of June, 1961:

> "Somewhere, some time ago, Babu Jagjivan Ram is said to have spoken that if the Scheduled Castes cannot secure their legitimate rights by non-violent means, it has to be secured even violently, but this is not practicable as they are not in a compact area. If they had been in a compact area they may have got their *Stan* probably in 1932 long before the Muslims got Pakistan."

This is a kind of statement which I do not like at all. (*Interruptions*). I do not like this kind of statement at all. It so happens that here in Parliament people belonging to the Scheduled Castes sometime express themselves as if they wanted some justice and that they were fed up with the kind of thing that was going on for so long. This is not the right point of view. I entirely agree with that. But the essential fact to be remembered is that this kind of feeling continues to percolate into the minds of our people. In the South, for instance—I know very little about the South and you know very much more about it— in the South, among a certain section of the community, maybe there are not numerous enough, but among a section of the community which seems to be substantial because they hold meetings, because they print periodicals which I get sent to me by post, they have an agitation, which I think is completely wrong, in regard to the separation of Tamil Nad or Dravida Nad from the rest of India. But I feel that the job of statesmanship at the highest national level is to go and find out what exactly these people are really and trully bothered about. If they are merely fissiparous and disruptive specimens of Indian humanity which should be put down, they should be put down. But if it be that it is something of an urge in the mind of the people, an urge which has taken a vitiated form because of the neglect from the point of view of economic planning and other directions of the southern regions, then, surely, something has got to be done in order to explain to the people of the South why it appears to be a fact that economically speaking the southern regions do not get as much of their share as the northern regions get. These things have got to be explained to people who are backward, people who are liable to be carried away by a sort of exuberance which is very wrong. But that exuberance arises out of the conditions of their life and it is necessary that at the national level serious effort is made to tackle that problem sympathetically. You have got to get into the skin of the other fellow as I said yesterday in relation to the Punjab problem. We have got to try and understand what the other fellow is feeling. These things appear from time to time. I do not hold a brief for communalism, or casteism or provincialism or separatism or anything

[Shri H. N. Mukerjee]

of that sort. But I do say that it is very necessary for us in this country to have democratic forces organised in such a fashion that you can fight these evils properly speaking. In the law we should have some provisions which would be applied certainly if the necessity for that is paramount. But, in the meantime, as my hon. friend Shri Vajpayee said, let not Government give the impression that it is trying to have an armour, to get a sort of weapon for itself, a weapon which would enable it to put down the elements which it dislikes before election time. Therefore, I feel some serious effort should, certainly be made and especially in regard to language which agitates the minds of people so much.

We have got to accept the fact that here is something which is a national problem which has got to be solved at the national level. Just as Shri Lal Bahadur Shastri decided from Durgapur to go to Gauhati and then to Silchar and to formulate whatever he thought was the rightful solution of the problem, some of our government leaders have got to go to Amritsar where Master Tara Singh is fasting and find out what is happening there and make a gesture, a gesture of humanity, a gesture of friendship and understanding which alone can link the diverse parts of our country with that golden and silken bond of unity which we all want very much in our hearts. It is so very necessary to remember that we should not unnecessarily create a situation where the right sort of remedy will not be applied.

I should say also, though with some hesitation, that after all the Congress Party is running the administration all over the country. It arrogates to itself the credit of having achieved independence for this country and continues to be the dominant political organisation. The Congress Party has got a certain special responsibility in this matter and that is why when the Congress Party, for purposes of political opportunism, takes steps which could be considered to be giving a handle to the development of communal tendencies and communal tendencies of the worst type, naturally, something should be done to halt that sort of thing.

The Muslim League, for instance, the organisation which has brought all this disaster on our country which is an odium on our souls, the partitioning of the country and the creation of Pakistan, is no longer a functioning organisation except in one petty little corner of India, the South West of India. And, there in Kerala, we find that the Congress Party is holding out its hand to it in order to have its evil designs. I do not want to refer to this but I do feel that after all it is necessary that all political parties, particularly the secular political parties should have a code of conduct in regard to what should be done.

When the election of the Speaker of the Kerala Assembly camp up, on behalf of our party in the Assembly it was said to the Congress Party that if the Congress Party set up a Congress candidate for speakership we would support it! if the Congress Party set up a Muslim Leaguer for speakership we would oppose him. What happend was, the Congress Party took recourse to a strategem which was no more than a petty trick. That was, it got the Muslim Leaguer to resign from the Muslim League a day before the election and he became suddenly an independent person and it set him up for the speakership. This is a kind of political strategem which vitiates the atmosphere in the country, which brings on a kind of political opportunism as a poison which actually distorts our character and our sense of decency and good conduct in political life.

I always admire the equability of temper of my friend, Shri Lal Bahadur Shastri and I know that possibly he would say, 'You do not throw stones'.

I do not claim to be infalliable; I do not claim to be perfect in that respect. But let us try to know each other. Let us sit down together if we do not consider ourselves mutually untouchable and let us try and find out some ways and means of having decency in political life. Then and then alone will democratic advance be possible because progressive forces which could combine to organise themselves could be mobilised and made to fight these tendencies and bring about the unification of our country.

You cannot fight fissiparous tendencies and destructive tendencies merely by flourishing the *danda* as my hon. friend, Shri Vajpayee said in his mellifluons Hindi. You cannot just stifle things. And it is necessary to understand what should be done. And for that purpose, at the highest national level, you have got to make an effort. That is why I say that since the Congress's own National Integration Committee had the decency to consult many outside its territory, and since the report is only an interim report and admittedly a very inadequate report which has come to you, you should hold your hand. You should wait for the final report of the National Integration Committee. Or let us wait for something else happening for national initiative being taken by national leaders in consultation with all political parties, especially the secular parties. Then and then alone you can bring in a measure which would be really satisfactory.

In the interim period, all I can say is, in view of our not having any amendment of our own, I can only commend to the House the amendment given notice of by Shri B. Das Gupta which is to take away language from the ambit of the punishments which are being scheduled for what is called disruptive activities.

With these words I can only say over again that I support the objective of the Bill but the way in which the Bill has been formulated seems to suggest that there is a hurry. This sort of hurry should have been avoided. But what we can do now is to try to make this Bill a much better Bill than it is now.

Shri Kasliwal (Kotah): Sir, I rise to support the Bill for it has a laudable object. I would immediately point out that the Bill is very limited in its scope. I oppose the motion for circulation as well as the motion for reference to a Select Committee. There is no point in sending a Bill of such a nature for circulation as it would tantamount to dilatory tactics.

My hon. friend who preceded me said that this was a kind of *danda* which was going to be employed by the Congress Party at the time of elections. Sir, I strongly object to that kind of reasoning which is given to oppose this Bill which, I may point out, is a very important measure.

The hon. Minister said that this Bill has been brought forward for national security and for national integration. But I will point out that whereas the objective of this Bill is very laudable it proposes or presumes to achieve a thing which cannot be achieved by a Bill of this kind. As far as this Bill goes, I support it but I will point out that something more should have been done.

14 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

I am inclined to say that this Bill gives only some kind of lip service—I am saying this with all respect to the Home Minister, to national security and national integrity and nothing more. If some other kind of measure with the intention of banning communal political parties had been brought, if some kind of constitutional amendment had been brought, surely that objective which is so laudable, would have been better achieved. What is the reason? Why are communal parties not being banned? Is it because our Constitution is of such

[Shri Kasliwal]

a nature that such parties cannot be banned? I will point out that it is not so and that is one of the reasons why I want to speak on this Bill today.

If you read the Chapter on Fundamental Rights, you will find two very important things—No. 1 is that it is a unique Constitution in the sense that there is no such thing as a Fundamental Right without an obligation immediately arising therefrom. Every single right contained in this Chapter is subject to public order, morality, health and such other provisions in the Constitution. Further, when you go to article 19, there are reasonable restrictions on all the Fundamental Rights. That is why, so far as our Constitution is concerned, there is no unalloyed right and if the hon. Home Minister or the Law Minister holds that communal political parties cannot be banned, I most respectfully beg to differ from them.

My hon. friend Pandit Thakur Das Bhargava was a member of the Constituent Assembly. When he takes part in the debate I would ask him to tell us as to what was in the minds of the members of the Constituent Assembly with regard to the communal parties? Was it their intention that communal parties should function and should be allowed to destroy the integrity and the national security of this country? No, Sir. That is not so. Although it is not embodied in such terms in the Constitution, it is there by implication. The social and cultural rights of all communities and of minorities had been safeguarded. There is no such safeguard about the communal political rights. I will take you through article 29:

> "Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same."

There is nothing which smacks or smells of political right in this article. I shall take you through article 25 and point out what public order means. Does public order not include national security and the conservation of national integrity? What is this kind of interpretation that is being made so far as public order is concerned? Article 25(1) says:

> "Subject to public order, morality and health and to the other provisions of this Part, all persons are equally entitled to freedom of conscience and the right freely to profess, practice and propagate religion."

An Hon Member: Please see the article on forming associations.

Shri Kasliwal: I am going to read it; please do not worry. I am going to read everything.

Shri D. C. Sharma (Gurdaspur): He is going to read the whole of the Constitution.

Shri Kasliwal: Article 25(2) reads:

> "Nothing in this article shall affect the operation of any existing law or prevent the State from making any law regulating or restricting any economic, financial, political or other secular activity which may be associated with religious practice."

I maintain that it is easy to make a fine distinction between religion and religious practice. It is possible to say while religious communal parties cannot be banned, the practice associated with them can be banned. I am not going into the finesse of that argument. But it is clear that if there is any political activity connected with religious practice, it is subject to public order, morality, etc. There is nothing in the article to prevent the prohibition of such a religious practice. My hon. friend asked me to read article 19 (c). I am going to read that article 19(c)

about forming associations or unions. This article 19(c) is again subject to reasonable restrictions. Article 19(4) says:

> "Nothing in sub-clause (c) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevents the State from making any law imposing, in the interests of public order or morality, reasonable restrictions on the exercise of the right conferred by the said sub-clause".

Are these questions—national security and national integrity—excluded from public order? Is public order only a petty disturbance riot that goes on in some place. That could not be the intention of the Members of the Constituent Assembly. As I said earlier, was it their intention that communal parties should be allowed to run amuck in this country, that communal political parties which were responsible for the partition of this land should be allowed to function again? That was not the intention at all. If this was the intention, some of the articles which I have read would never have found a place in the chapter on Fundamental Rights. I do not want to go into greater details about this except to say again that whereas the social, cultural and educational rights are guaranteed and safeguarded, there is no such thing as safeguarding of a political communal right. It is possible and it can be done by a small explanation to sub-article 4 or article 19. I think that it can be said that communal political parties, for the purpose of this article, can be banned or something like that can be said.

Now, there is one more matter i.e., interpretation of the law. It is a very wide subject and the Deputy Law Minister who is here would perhaps take notice of what I am saying. There are various methods by which the law is interpreted. There is such a thing as the golden rule of interpretation. There are things in which the law is interpreted in such a way, that is, the law is interpreted in consonance with the spirit of a developing society. Is our society not a developing progressive society? What I say is this. I am not suggesting at all for a moment that any violence should be done to any language which is specifically contained in any law. But where interpretation can be made in such a way that it finds a place in consonance with the objectives of a developing society, in that sense alone can any interpretation of the law and the Constitution be made.

I may remind you of what the Chief Justice of the Supreme Court of the United States had done as many rulings that find a place in the Supreme Court rulings here are also quoted in their rulings and case law. Earl Warren, the Chief Justice of the USA, interpreted the American Constitution in a particular way and he said that man is equal; there is no question of black and white. But that was not the intention of the framers of the American Constitution. But he interpreted the law in such a way that the Negroes immediately got their rights, whatever rights they had. Here is an important case in which by sheer interpretation of law the Negroes were put on an equal footing with the whites. With all respect to the learned judges of the Supreme Court, may I say that when article 31 was being interpreted in a particular way....

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri Kasliwal: I shall finish within two minutes. Then, probably, the provisional Parliament thought that was not the way in which the interpretation should have been made.

The Deputy Minister of Law (Shri Hajarnavis): It is not quite right. The case did not reach the Supreme Court, before the amendment was undertaken by the Parliament.

Shri Kasliwal: I am talking about article 31.

Shri Hajarnavis: That is the only article to which I also refer.

Shri Kasliwal: Was it never interpreted by the Supreme Court?

Shri Hajarnavis: All that I said was that by the time the amendment was introduced in Parliament, the Supreme Court had no occasion to deal with it.

Shri Kasliwal: My information is slightly different from what my hon. friend says.

Shri Hajarnavis: If my information proves to be incorrect, I apologise.

Shri Kasliwal: It is very clear that article 31 was amended by the Constitution (First Amendment) Act, 1951, section 4, relating to article 31A.

Shri Hajarnavis: I may remind my hon. friend that it was a decision of the Patna High Court. The matter did not reach the Supreme Court at all.

Shri Kasliwal: Let it be the Patna High Court's decision. I am only saying....

Mr. Deputy-Speaker: The hon. Member had shown respect only to the Supreme Court and therefore the hon. Minister wants that the same respect should be shown to the Patna High Court!

Shri Kasliwal: I am showing respect to all the high court judges and the Supreme Court judges, past, present and future.

Shri Hajarnavis: I may again bring to the notice of the hon. Member another thing. If he were to see the latest decisions of the Supreme Court he will find that everyone of them is informed by the spirit which he has mentioned. He need not go as far as the Supreme Court of America or the Chief Justice of the United States of America.

Shri Kasliwal: I am very happy to know that. But here, the learned judges of the Patna High Court interpreted article 31 in a peculiar way. If article 31 had remained as such, all our planning would be of no avail and the land reforms could not have taken place at all. Therefore, it was found necessary to amend article 31 after the judgment of the Supreme Court. I am very glad that the hon. Minister pointed out that the law is being interpreted in such a way that it is in consonance with the spirit of our Constitution and that it is in agreement with the spirit of a developing society.

I may say once again that though this Bill has a very laudable objective, its scope is very limited, and it will not succeed in achieving that laudable objective which is proposed to be achieved. Unless there is a regular Bill, that is, a Constitution (Amendment) Bill brought forward with the intention to ban communal parties, all Bills such as the present one will be of no avail.

Dr. Krishnaswami (Chingleput): Mr. Deputy-Speaker, Sir, the Home Minister, in his introductory remarks, observed that this was a non-controversial measure. This is a very controversial measure and I venture to suggest that this measure will not promote national integration in the least. Let us ask ourselves this question: are the existing provisions of the Indian Penal Code inadequate to meet the needs of the situation? The present section 153(A) of the Indian Penal Code is already wide enough to cover any act likely to promote enimity or hatred between different classes on any ground whatsoever. As you are aware, and as so many other lawyers who have studied the judgments of the Privy Council and the various high courts in our country know, it has been pointed out that under the Indian Penal Code, practically any acts which

tends to promote enmity can be checked. No court of law, has hither to been fettered by the wording of the existing section nor has the executive been prevented from taking action or having recourse to this section when necessary.

In Assam, it was not the defective wording of the Indian Penal Code which prevented any action being taken. In Jabalpur also, it was not the defective wording of the Indian Penal Code which prevented the authorities from acting. I do think that this section is quite enough and more than adequate to meet any contingency. The major change which the hon. Minister has made is to be found in section 153A (b). It is proposed to make a new offence in the case of any "act which is prejudicial to the maintenance of harmony between different religions, racial or language groups or castes or communities and which disturbs or is likely to disturb the public tranquillity."

I ask the hon. Home Minister, what is the meaning of "maintenance of harmony?" Who is to judge what harmony is? I should have thought that it fell within the province of each legislature to bring about harmony between different classes. For a magistrate, however eminent he may be, would not be in a position to find out what makes for harmony between different classes and when public tranquillity is affected. Even an honest, *bona fide* comment may be construed to disturb the harmony between different groups, communities, and Castes. Indeed, it is significant that under the existing Indian Penal Code there is an explanation to section 153A which protects honest and *bona fide* comment. But it is now proposed to omit it altogether. One wonders whether those who have introduced this measure have taken cognizance of the Constitutional provisions relating to the protection of cultural, educational and other rights of the various minorities in our country. Article 29(1) points out that "any section of citizens residing in the territory of India or any part there of having a distinct language, script or culture of its own shall have the right to conserve the same." Now, if in the process of conserving a language, a script or a culture, an agitation takes place, are we to ban it on the ground that it disturbs harmony or is likely to lead to some sort of disaffection in the minds of certain people? I venture to think that the existing Penal Code, while undoubtedly giving power to prevent miscreants from abusing freedom of speech, gives scope to honest people to propagate their culture, to bring about changes in the social and political climate of our society. No society is static and to think of a pre-determined harmony to think that the Indian Penal Code should be utilized to act as a prophylactic against any change is to nurse a delusion.

Take this into consideration: What does harmony mean? I have done some research into these provisions. I find that this provision bears a family resemblance to that which is to be found in the Defence of India rules issued during the war years. Then this provision was utilised to suppress a great deal of intelligent public opinion in our country. Not only that. It is very serious from another point of view. It is not necessary that there should be an overt act in order that harmony might be disturbed. This surely would act as a very restrictive factor on the freedom expression of opinion.

But the major issue which will have to be faced by our legislature is whether national integration can be brought about by law? I do not think it is likely that any intelligent citizen would suggest that national integration can be promoted by making stringent provisions of law. Indeed from many points of view, the more stringent you make the legislation, the more are such forces likely to go underground and the more likely is an open society to be transformed into a closed society. Surely this is not the way in which any democratic society tackles fissiparous tendencies.

[Shri Krishnaswami]

If Government applies its mind to the serious problems which beset our country would acquire an entirely different appreciation of the problem of national integration. Supposing for a moment that our educational standards which are already on the decline are to be improved, would it be appropriate to suggest that we should pass a law that they must rise, and that if they do not rise, within a year or two, we should have a law punishing those who contribute to its decline either directly or indirectly?

Of course such a law would be legal. But we would be bringing within its confine parents who are negligent, teachers who are not quite competent, lazy students, and possibly also the educational administrator, who permits over-sized class. But what is it that we would have done? We would have made ourselves a laughing-stock in the eyes of the world. These matters are not likely to be improved by legislation. The educational problem of declining standards can be tackled only by improvements in the educational structure. I, therefore suggest to many of my friends that the problem of national integration will have to be tackled by other methods.

If we wish to promote civic consciousness, we do not rely on making penalties as stringent as possible. For a while stringent penalties may work. But after a period these penalties will have to be relaxed to accommodate public opinion within the community. We will then notice that civic consciousness is lacking. To promote it we require other measures to which we should give more thought.

I think we should have to make a more effective approach to the people. Hon. Ministers speak of national integration. But when we talk of national integration, we have to think of the approach that we would have to make at different levels—at the local level, State level and national level. Some of the legislative enactments that we have passed have tended to fragment our community and give us a very very narrow outlook on many of our problems. The institution of the panchayat system has brought in its wake a great deal of factional spirit, and tended to make people view problems from an extremely parochial point of view. We ought, therefore, to understand what is wrong with us. We ought to realise that if in Jabalpur we failed, it was not because the existing provisions of the criminal law were inadequate to meet the needs of the situation. It was because the Ministry and the administration, I regret to say, were inexperienced and did not know how to control the situation. Otherwise, how can a small minority, which did not obviously have the support of large numbers of people, held practically the whole community to ransom? Sometimes we pass forbidding laws. Some of my friends who are here suggest that after all no harm is done by passing such drastic laws. It is the same with some of our fiscal enactments; it is the same with some of our criminal law enactments. But if this measure is passed and implemented, we would be taking a very far step towards making our open society, such as it exists, a closed society, and thus prevent expressions of opinion on live social problems.

It is clear from the way in which this Bill has been drawn up that there is no scope for honest and *bona fide* expression of opinion, which is there in the old Indian Penal Code. But if it is pointed out that this enactment will not be enforced, that the law is there to be passed by the legislature and that our administrators will have the necessary wisdom and discretion to sleep over it, I suggest that this is not taking our job seriously. We would lay ourselves open to the charge of having passed a law which, apart from not being enforceable, makes us the laughing-stock of the world.

Whoever thought of national integration being promoted by stiffening up legal regulations? Whoever

thought of national integration being brought about by constituting a committee? In no other part of the world has this business of national integration been dealt with in this manner. While I have the greatest respect for many of my friends of the National Integration Committee, I venture to think that if they take their job seriously, their function is not to give recommendations to various bodies, but to examine how it is that our nation after a decade of planning and planning for freedom, finds itself in this position. The decisive forces which we have to fight are not confined to any particular party. They may be found within the ranks of even the best organised party.

Let us realise that when we talk of banning communal parties and banishing people who promote division, the bitterest communalists, may be found in the so-called secular parties of this country. We ought to realise that if we are honest with ourselves, these matters cannot be dealt with by law. What is required is an honest and fresh approach to these problems. If this measure is passed, Parliament will be stultifying itself, and I for my part cannot be privy to passing this measure, which is highly restrictive of civil liberties and which, even if is not used will make us a laughing-stock in the eyes of the community.

Shri Tyagi: Sir, section 153A of the Indian Penal Code was the first section of this law which I came in contact with in 1920, forty years ago, when I was convicted under this section to undergo two years' rigorous imprisonment. My speech in a place was that the British people were exploiting the Indians. That was the crux of the whole speech. They said I was creating illwill between two sections of His Majesty's Government.

An Hon. Member: Were you found guilty?

Shri Tyagi: Naturally I was guilty, because I did really say so. I know the manner in which the law was then enforced. I value the spirit of the British, because although many of the laws were repressive, at least they had respect for law. They did not convict me for nothing. It was actually proved that I was guilty, I confessed I said so and I intended to say so until India was free.

Sir, in the days of the British, I remember, despite the fact that thousands and thousands of us were breaking the law openly, even then law had some respect in India for the very reason that those who were administrators of law respected it. My fears are that today in India law is fast losing its respect, not because the people do not respect it but because the administrators themselves do not really respect law so much. The law is sometimes stretched, sometimes misused. That is what is happening. Law is neglected. Therefore, I submit, the present law, in my opinion, is quite sufficient.

I am sorry to confess that today I was swayed by the speeches made by some of my hon. friends on the opposite benches. I must say that their arguments were most convincing. While we are enacting a law like the present one amending the Indian Penal Code, my appeal to the Treasury Benches is that it is not a question of party considerations, it is a question of giving a law to the whole people and the views of the Opposition must be fully respected in this matter.

Ch. Ranbir Singh (Rohtak): Not at the cost of the country.

Shri Tyagi: There is no question of anything being done at the cost of the country. After all, the Opposition is giving expression to the views of those people whom they represent. They also represent a certain section of our people and their views must also be respected, particularly when they are not biased by any party considerations. If they are talking on merits, well, their views must be respected and on merits they must be looked at with a little respect.

[Shri Tyagi]

A question has been posed as to what the Government has done with a view to suppressing these communal tendencies. It was asked in how many places during the last 13 years they used section 153A. I think the Treasury Benches have not answered that question. Why have you not used section 153A? Do you mean to say that that section is a fake. I think it is comprehensive enough. There are people who have been making speeches in the open streets in the south saying that Rama was a drunkard, Sita was a prostitute, Brahman's blood should be shed and all that. Was that not enough? Could not those speeches come under 153A? But like nincompoops people sat there, heard those speeches and did not act.

Mr. Deputy-Speaker: Is that all being addressed to me? That would go on record as if all those words were intended for me.

Shri Tyagi: I am sorry, Sir. Therefore, my grouse is that law has lost its respect. It has rusted because it is not used. The law was made for a particular use, but you neglected it. The politicians are responsible for this. All of us together have to share this responsibility, if we introspectively look into this. We should respect law. Law must be above man, above officers. There is the question of elections and the majority party here. My party may go; it does not matter if the law is maintained because I can come back again if there is law. If there is no law there is no chance for any one. If one is on these benches and there is no law, it is very difficult for people to come back here. It is only law which allows people and parties to come back here. But this laws has not been used. Same is the case in respect of many others also.

I do not know if the Chief Ministers have taken a decision to the fact that in the case of parties which propagate secession of their territories from India there will be no law against them until the elections are over, until six or seven months have passed. This is surprising. How can that be permitted? Is it a case of accommodating people? Can law accommodate any person? Can law distinguish from persons to persons and parties to parties? Law is uniform for every citizen of India. That beauty of law must be maintained at all costs. This is a general remark that I wanted to make.

Now, coming to this Bill, in the first place, I take objection to the word "promoted". I objected to it then also, when my case came for hearing 40 years ago. When my case came up I was my own barrister. It was before a district magistrate who was an Englishman. At that time I said: Your Honour, you accuse me of having promoted this hatred. It means you confess that there is some tinge of hatred which already exists and which I have promoted. Do you agree to that?" He smiled and said: "No, Tyagi, do not try to debble in law". That is my objection still, I am not yet convinced, although it existed in the Indian Penal Code. It is said: "one who promotes". It means that the Parliament confesses that inherently there is hatred which if anybody promotes he will be punished. A thing can be promoted only when it exists. So we confess in a way that is it is already there. That is a layman's view.

Mr. Deputy-Speaker: I am sorry Shri Tyagi has not improved. He is the same barrister now.

Shri Tyagi: That is proof of my consistency. Anyway, to promote something that something must already exist. Why not say: "create and promote"? If there is no hatred at all and if somebody actually creates hatred and also promotes it, he should be punished. Why not bring in the word "create" also? Why say that hatred is already there and anybody

who promotes it will be punished? This is just a casual little objection I wanted to raise, and I think perhaps the law could be improved in this respect.

Then, here it is said: "words either spoken or written or by signs or by visible representation or otherwise, promotes or attempts to promote on grounds of religion, race, language, caste, community or any other grounds". There must be grounds now. Up till now there was no question of any grounds. Now a man cannot be convicted unless some ground is proved, unless it is proved that he has done it on the ground of religion or race or caste or language or community or on any other ground or grounds. So the word "ground" is again introduced into it. In the previous section it was: "words either spoken or written or by signs or by visible representation or otherwise promotes". So there was no question of any grounds. Now in the courts of law we will have to say on what grounds a man has committed the offence. The ground will have to be proved. I suggest, Sir, this is perhaps complicating it. Why bring in the word "ground" at all. If without any ground somebody creates hatred what will happen to him? If somebody creates hatred without any ground then he may not be convicted. What will happen to such culprits? Therefore, why bring in the word "ground"? Say that if somebody creates hatred, whether there is ground or no ground, he will be punished. This is another objection that I have (*Interruptions.*)

Mr. Deputy-Speaker: Order, order. There ought to be some ground for interruption also.

Shri Tyagi: Then, there was an explanation which is sought to be deleted now. I feel that this will also narrow down the scope. Section 153 was a wider section in which you could bring in anything. If the meaning is only propaganda that could be done by some other means, but if you want to just awaken the people and tell them that these are also matters on which convictions could be effected, then some other methods could be adopted. By bringing in these things you are just narrowing it down. In a wider thing if you draw a line the balance outside it is given away. This explanation acts likewise. Under that explanation a person was entitled to point out what are his honest views. It says here:

> "It does not amount to an offence within the meaning of this section to point out, without malicious intention and with an honest view to their removal, matters which are producing or have a tendency to produce, feelings or enmity or hatred etc."

This was quite clear. If there is somebody creating some type of hatred or there are certain things which create hatred and another saner person with an honest intention says that they may be removed, under the explanation that person was safe. By removing that explanation even the wiser counsel who finds out matters which are producing hatred is also in danger because he has touched that subject. This Explanation was only to safeguard those persons who would intervene in such matters and ask those people to abstain from these activities of hatred. At least those persons should not come within the mischief of this section. The Explanation reads:

> "It does not amount to an offence within the meaning of this section to point out, without malicious intention and with an honest view to their removal, matters which are producing or have a tendency to produce, feelings of enmity or hatred between different classes of the citizens of India."

Suppose somebody has got a sign-board and on that sign-board there is something which creates a little bit of feeling of enmity. Suppose somebody else goes to him and tells him

[Shri Tyagi]

please remove that sign-board". That man might be a pious man who did it with a patriotic instinct to avoid trouble. Such a person should not come to grief. So, if this explanation is inserted, it will give liberty to people who honestly want to remove these things to do something concrete. Therefore, it is very important. At the same time, it will not in any way make the penal clause mild at all; on the other hand, it will make it more comprehensive.

The idea of increasing the punishment from two years to three years is neither here nor there. If a person deliberately goes against the provisions of this Act, the punishment of imprisonment for three years will not be such a threat as to stop him from indulging in it. So, it does not make much difference in the effectiveness of the provision.

Law, as the Law Minister will always agree, is the registration of the rules of conduct owned by the society as a whole. We have changed that only for the purpose of popularity. So, I think the party in power and other parties may come together in a round table conference and take a decision to the effect that there will be certain rules of conduct in the parties also and that they will see to it that no party will indulge in such activities. Let us create that climate, as that is the real solution of the problem.

These things could not be controlled by law. The difficulty is that those who are in power somtimes act wrongly. Only the other day, a delegation came to see the Prime Minister from Uttar Pradesh and I was surprised to hear from them that a chairman of the municipal board of Rampur was removed by the Government because, —even though he was a Congressman he belonged to another group—that is another matter—he gave advertisements to Urdu papers. This is a ministerial order, given to the chairman of a municipal board.....

Shri Hajarnavis: On a point of order. Can the conduct of another government which is a State Government be a subject matter of discussion here?

Shri Tyagi: I think that if governments stoop to such sort of activities .

Mr. Deputy-Speaker: Even then we have to avoid any comments on the State Governments, because they are not here.

Shri Tyagi: Leave alone the Rampur board. There may be other reasons also, very relevant reasons, why he was removed. I do not say that his removal as such was wrong. But one of the reasons given was that he gave advertisements to Urdu papers. If this is the way in which you act, how can you maintain communal harmony? If your own mind is not clear about these matters, if your own heart is not clear on such matters, how can you succeed? It is only great men like Mahatma Gandhi who will adhere at all costs to secularism and maintain harmony with a missionary zeal. For other people, it is always a question of compromise, compromise with principles, compromise with law and compromise with everything. This type of thing will reduce respect for law.

14.45 hrs.

[Shri Mulchand Dube *in the Chair*]

That is why we see riots, murders and dacoities going on and the law going to the dogs. There is no respect for law. If things go on at this rate, there will be chaos in India and there will be no organisation. So, the law must be given more respect and it must be the duty of all parties to see that law is respected universally so that the people will become law-abiding citizens.

In fact, this Bill was not at all needed. Because, section 153A as it already existed was enough. It had enough scope to cover all offences. But the difficulty is that they were never

implemented. Brandishing a long stick or showing some strength is no use. It requires real work among the masses and positive propaganda. Those things will be of greater avail than this enactment of law or increasing the punishment from two years to three years.

श्रीमती सुभद्रा जोशी (अम्बाला) : सभापति महोदय, अभी हमारे कुछ भाइयों ने कहा कि इस कानून की जरूरत नहीं थी, क्योंकि पहला कानून ही इस काम के लिये काफ़ी है । मैं वकालत नहीं जानती हूं, इसलिये मैं शब्दों की बारीकियों में नहीं पड़ती हूं । एक बात के बारे में मैं त्यागी जी के साथ कतई सहमत हूं कि कोई भी हुकमत जो कुछ भी करना चाहे, वह कर सकती है । चाहे पुलिस अफ़सर हों या मैजिस्ट्रेट, अगर वे कुछ करना चाहें, तो इस वक्त भी कानून में इतनी धारायें हैं कि उन के द्वारा बहुत सी बातों को रोका जा सकता है । देखने तो हम यह भी हैं कि जब किसी को पकड़ना होता है, किसी को जेल में बन्द करना होता है, तो पुलिस यह नहीं पूछती कि कानून है या नहीं और अगर नहीं पकड़ना है, तो फिर सारी ताजीराते-हिन्द और दुनिया भर के कानून भी चाहे सामने रख दिये जायें, यही पूछते हैं कि किस कानून के मातहत कार्यवाही की जाये ।

फिर भी, चूंकि मिनिस्टर साहब ने यह कहा है कि चूंकि कानून में कमियां थीं, जिन की वजह से हम इन टेन्डेन्सीज को, इन प्रवृत्तियों को नहीं रोक सकते थे, इसलिये इस कानून की जरूरत है । इस कारण मैं इस कानून का स्वागत करती हूं । मुझे उम्मीद है कि आज तक जो कुछ हुआ है, इस के बाद उस पर पाबन्दी लगाई जा सकेगी ।

हमारे साथियों ने कहा कि इस कानून की जरूरत नहीं है और यह कि इलैक्शन के पहले इस को क्यों पास करना चाहते हैं । मैं उन से पूछना चाहती हूं कि इस कानून में कौन सी बुरी बात है । अगर यह कहा जाये कि मजहब और जबान और दूसरी बातों के नाम पर नफ़रत नहीं फैलाई जा सकती है और एक दूसरे से नफ़रत नहीं करवाई जा सकती है तो इस में कौन सी बुरी बात है ? मैं उन भाइयों से यह पूछना चाहती हूं कि आखिर वे इस बात की आजादी क्यों चाहते हैं, खास कर इलैक्शन्ज के पहले यह आजादी क्यों चाहते हैं ? मैं समझती हूं कि अगर इस कानून की कोई जरूरत है, तो इलैक्शन से पहले खासकर जरूरत है, क्योंकि चुनाव एक ऐसा मौका होता है, जब आदमी आगे आने के लिये और लीडरशिप कायम करने के लिये खराब से खराब हथियार इस्तेमाल करने पर उतारू हो जाता है । तमाम पार्टीज के लोग उतारू हो सकते हैं और आपस में नफ़रत फैलाने और लोगों को भड़काने का काम कर सकते हैं । मैं अदब से अर्ज करना चाहती हूं कि हिन्दुस्तान में इस से ज्यादा हीनस क्राइम कोई दूसरा नहीं हो सकता है । आज हमारे सामने आसाम के जले हुए घर बोलते हैं, मध्य प्रदेश की जली हुई दीवारें खड़ी हैं । हमारे सामने उत्तर हुए सिन्धुर हाहाकार कर रहे हैं, यतीम बच्चे रो रहे हैं । आज फ़िर्कापरस्त लोगों ने—दोनों किस्म के फ़िर्कापरस्त लोगों ने, अकालियों ने और हिन्दू फ़िर्कापरस्त लोगों ने—पंजाब को जिस तरह से एक बैलेंसी पर खड़ा कर दिया है, जिस तरह से आज पंजाबी सूबे की बात को ला कर खड़ा कर दिया गया है वह हमारे सामने है । आज जब कोई पंजाबी सूबे की बात कर रहा है कोई हिन्दी बोलने की बात करे तो सब को चिन्ता हो रही है । जो इस तरह नफ़रत को उभारा गया है उस नफ़रत का नतीजा हमारे सामने दिखाई देता है । आज हिन्दुस्तान के दो टुकड़े हुए । इन दो टुकड़ों के होने की जिम्मेदारी हमारे ऊपर रक्खी जाती है, चाहे वे जिस वजह से हुआ हो । कहा जाता है कि हम लोग उस के जिम्मेदार थे, हम ने उसे स्वीकार किया । मैं कहती हूं कि आखिर इस चीज की जड़ और बुनियाद में

[श्रीमती सुभद्रा जोशी]

क्या था ? खुले आम हम एक दूसरे के खिलाफ नफरत फैलाते रहे, जो चाहा कहते रहे । कल यहां पर पंजाबी सूबे की बात हुई । उस का जिक्र मैं आज नहीं करना चाहती हूं, लेकिन काफी भाइयों ने इस पर रोशनी डाली मैं उन्हें याद दिलाना चाहती हूं कुछ बातों की । मैं सोचती थी कि मैं उन तकरीरों को सदन के सामने ले आऊं जो हिन्दी एजिटेशन के वक्त की गई, उन तकरीरों को ले आऊं जो अकाली एजिटेशन के वक्त में की गई, उन तकरीरों को आप के सामने ले आऊं जो मध्य प्रदेश में रोज की जाती हैं और हर चुनाव के पहले की जाती हैं । हर चुनाव के पहले रायट किये जाते हैं । मध्य प्रदेश में हिन्दू और मुसलमान रायट होते हैं, मध्य प्रदेश में हिन्दू और ईसाई रायट होते हैं, हरिजन और नान हरिजनों के रायट होते हैं, और खास कर चुनाव के पहले किये जाते हैं । मैं पूछना चाहती हूं कि अगर कुछ भाई आजादी चाहते हैं तो आखिर किस चीज की आजादी चाहते हैं ? चुनाव के पहले किस चीज की आजादी चाहते हैं ? क्या वे चाहते हैं कि एक मजहब के लोगों को दूसरे मजहब के लोगों के खिलाफ भड़कायें और उसके बाद डिमाक्रेसी का नाम लें ? क्या डिमाक्रेसी एक ही मजहब के लोगों के वास्ते हो सकती है, क्या एक ही धर्म के लोगों के लिये आजादी हो सकती है कि वे अपने धर्म का प्रचार करने के लिये, अपनी भाषा की उन्नति करने के लिये दूसरों के खिलाफ नफरत फैलायें ?

मुझे ताज्जुब हुआ अपने साथी श्री हीरेन्द्र नाथ मुकर्जी की इस बात से कि उन को भी इस से आजादी में रुकावट मालूम होती है । कहते हैं कि अगर लोगों के ठीक ग्रीवान्सेज होंगे तो उन का क्या होगा ? क्या ठीक ग्रीवान्सेज को दूर करने के लिये इस चीज की आजादी दी जाय कि डिमाक्रेसी के नाम पर वे किसी भी सीमा तक चले जायें ? किसी हद तक भी चले जायें ? आज असम में फसाद होते हैं, मध्य प्रदेश में फसाद होते हैं, मैं दरख्वास्त करूंगी मि० मुकर्जी से कि वे मध्य प्रदेश जा कर अपनी पार्टी के लोगों से पूछें कि वहां के अखबार क्या छापते हैं । जो कुछ वहां के अखबार छापते हैं वही हम लोगों के मुंह के सामने रख दिये जाते हैं । जो खबरें वहां छपती हैं उन के कोटेशन्स हमारे सामने रक्खे जाते हैं कि आखिर यह क्या बात है कि सरकार उन अखबारों के खिलाफ कुछ नहीं कहती ? कहा जाता है कि यह कैसी हुकूमत है जो इस किस्म की स्पीचेज की इजाजत देती है ? अगर आज श्री मुकर्जी की तमाम नागरिकों के पास जाने की इच्छा नहीं है, या उन के पास टाइम नहीं है, तो वे अपने मध्य प्रदेश के साथियों से पूछें जो आज तक अखबारों की कटिंगस वहां से भेज रहे हैं और कह रहे हैं कि इस तरह से नफरत फैलाने की इजाजत यह हुकूमत क्यों देती है । मैं ने तो उस वक्त भी उन से कहा और आज भी कहती हूं कि जब लोक सभा के सामने कानून आता है अखबारों पर पाबन्दी लगाने के लिये या स्पीचेज पर पाबन्दी लगाने के लिये तो यही कम्यूनिस्ट पार्टी के भाई सब से ज्यादा विरोध करते हैं और आजादी और डिमाक्रेसी का नाम लेते हैं । आज उन की बात सुन कर मुझे ताज्जुब हुआ । मैं उन से अदब से अर्ज करना चाहती हूं कि चाहे कोई जमात हो सयासत के नाम पर इस नीति पर चलकर कि अपने घर में आग जला कर, फूंक कर अपना घर, हाथ सेंका जाय, यह देश के लिये हानिकर साबित होगा । इस लिये जब यहां पर कोई आये तो ईमानदारी से बोले कि वह किस चीज को किस चीज के लिये सपोर्ट करता है, किस नियत से सपोर्ट करता है और किस लिये विरोध करता है ।

इस लिये मैं कहना चाहती हूं कि यह जो नफरत फैलाने की बात है वह सिर्फ चुनाव की बात नहीं है । नफरत फैलाने की बात, चाहे वह धर्म के नाम से हो चाहे जबान के नाम

से हो, किसी भी नाम से हो, उस ने हमारे देश में कानून को तुड़वाया, लोगों के घरों को जलवाया, लेकिन इस से भी ज्यादा हमारे देश का नुकसान उस ने यह किया कि हमारी मारल वैल्यूज को चेन्ज किया । आज जो झगड़ा होता है तो जो आदमी झगड़ा कराता है वह छाती तान कर चलता है, जो आदमी बचाता है वह छिप कर चलता है गलियों में किसी को मालूम न हो जाय । साधारण मनोवृत्ति , या भावनायें यह होती हैं कि मनुष्य इन बातों को अपने दोस्तों से भी छिपा कर रखना चाहता है । हमारी कोशिश यह होती है कि बदला लेने की हमारी भावना, नफरत करने की भावना, किसी मजलूम को सताने की भावना को हम अपने दोस्तों से और मित्रों से भी छिपा कर रक्खें । मगर आज नफरत फैलाने वाले लोग, जो आजादी चाहते हैं इस चीज की और चाहते हैं कि कानून न बने, इस चीज को रोका न जाय, वही नफरत फैलाने वाले लोग ऐसे हैं जिन्होंने हमारी वैल्यूज को चेन्ज कर दिया है, उन को बदल दिया है । आज वे पब्लिक प्लेटफार्म से भाषण देते हैं कि हम इस को नहीं रहने देंगे, इस चीज का बदला लेंगे, हम फलां जाति को नही रहने देंगे, फलां बिरादरी को नहीं रहने देंगे, फलां भाषा को नहीं सीखेंगे, । जैसा मैं ने अर्ज किया मैं चाहती थी कि मैं उन भाषणों को यहां पर रख कर सुनाउं, फिर मैं ने सोचा कि जिन भाषणों पर मुझे खुद एतराज है उन को मैं लोक सभा के सामने दोहराऊं, यह कोई अच्छी बात नहीं है ।

मुसलमान मुहल्लों के सामने जा कर हमारे वह लोग कहते हैं कि हम मुसलमानों को नही रहने देंगे । मुसलमान मोहल्लों में जा कर पब्लिक मीटिंग्स में हजारों लोगों के सामने कहते हैं कि हम मुसलमानों को हिन्दुस्तान में नहीं रहने देंगे । जितने दिन जवाहर लाल हैं, मुसलमान रहते हैं, जवाहर-लाल के जाने के बाद वे नहीं रह सकेंगे ।

एक माननीय सदस्य : जरूर रहेंगे ।

श्री वाजपेयी : मैं ने कहा था ।

श्रीमती सुभद्रा जोशी : फिर्कापरस्ती बढ़ाने वाली जमातें कहती हैं । मैं ने खुद मध्य प्रदेश में एक साहब का भाषण सुना, उन्होंने मेरे सामने कहा कि हिन्दुस्तान में जितने करोड़ मुसलमान हैं , हम उन में से एक को भी हिन्दुस्तान मे नहीं रहने देंगे, हम कहते हैं कि उन में एक एक गद्दार है । वहां सिटी सुपरिन्टेंडेंट मौजूद, वहां मैजिस्ट्रेट मौजूद, बड़े बड़े हाकिम मौजूद, फिर भी उन्होंने कहा कि हम किसी को नहीं रहने देंगे क्योंकि वह सारे गद्दार हैं और और उन की गद्दारी के जो नमूने और कहानियां उन्होंने पेश की उन को आज मैं सब के सामने सुनाना नहीं चाहती हूं । इस में प्रोपेगेन्डा है, उस मे झूठा प्रचार है जो कि एक मजहब के नाम से चलाया जाता है । इसी लिये मैं ने अर्ज किया कि हम ने चरित्र की वैल्यूज को चेन्ज कर दिया फिर्कापरस्ती और नफरत फैला कर के ।

आज जो बिल आया है, मेरी समझ में नहीं आता कि उस में दो साल से तीन साल करने मे क्या फर्क पड़ने वाला है । दो साल की सजा हो या तीन साल की हो, इस में क्या फर्क पड़ने वाला है ? फिर भी एक कदम है जो कि उठाया गया है । मुझे को उम्मीद है कि इस को लागू कर के देखा जायेगा । अभी जो कानून था उसे काफी नहीं समझा गया तो इस कानून को भी इस्तेमाल कर के देख लिया जाय ।

श्री त्यागी : कानून जो अब तक था वह काफी था, लेकिन उस का इस्तेमाल नहीं किया गया ।

श्रीमती सुभद्रा जोशी : तो उस को लागू करने की कोशिश की जावेगी ।

[श्रीमती सुभद्रा जोशी]

14:58 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

जैसा मैं ने कहा देश के लिये सब से बड़ा हीनस क्राइम है जो जमातों को एक दूसरे से लड़ाया जाता है। आज श्री मुकर्जी ने ग्रीवान्सेज का जिक्र किया। आज अगर कोई हुकूमत से लड़ता है या जो लोक सभा के सामने हुकूमत के लिये कुछ कहे, चाहे वह हिंसा से लड़े या अहिंसा से लड़े, चाहे किसी तरह से मुकाबला करे और हुकूमत को बदलना चाहे, यह तो मेरी समझ में आता है, पर जो आज एक इन्सान को दूसरे इन्सान से मरवाये, एक जाति से दूसरी जाति को मरवाये, एक धर्म वालों से दूसरे धर्म वालों को मरवाये, एक जबान बोलने वालों से दूसरी जबान बोलने वालों को मरवाये, वह देश के लिये सब से बड़ा क्राइम करता है।

अगर इस बिल में कोई कमी है तो मैं होम मिनिस्टर साहब से दरख्वास्त करूंगी कि वह उस को ठीक करें, उस को और सख्त बनायें। जैसा त्यागी जी ने भी कहा, मैं भी अर्ज करूंगी कि कानून से भी ज्यादा कानून को इम्प्लिमेंट करने की जरूरत है। चाहे हमारे आफिसर्स हों, चाहे हमारी जमातें में हों, चाहे उन जमातों में हों जो अपने को फिर्कापरस्त नहीं कहती है, चाहे वह हुकूमत में हों चाहे पुलिस में हों या मैजिस्ट्रेट हों अगर किसी भी, अच्छे कानून को कोई लागू करना चाहते हैं तो कोई रुकावट उन के बीच में नहीं आ सकती। यहां पर यह कहना भी जरूरी है कि कोई लोग कानून न लागू करे तो न करें, अलग बैठें, लेकिन कम से कम कानून के खिलाफ वह खुद काम न करने लग जायें। जिन को बचाने के लिये उन लोगों को रक्खा गया है उन को न बचाने में उन के लिये कम खतरा है, लेकिन खतरा तब हो जाता है जब अधिकारी लोग उस काम को खत्म करने लगते हैं जिस काम को करने के लिये उन को मुकर्रर किया जाता है। इसलिये कानून बनाने के साथ इस चीज पर भी खास ध्यान देना चाहिये।

15 hrs.

Shri Nath Pai (Rajapur): Mr. Deputy-Speaker, this Bill is a sad commentary on 15 years of rule of the Congress party. No failure of the ruling party is more marked and no failure, in the long run, more dangerous to this country than this failure in this vital aspect of our national life. Fifteen years after Independence, we are having in this House a Bill for consideration to devise means to combat forces which have been corroding our national unity. Whereas it is very difficult to quarrel with the spirit of the Bill, none-the-less, it is necessary to give some time to the causes that have led to this inhappy state of affairs in this country.

A fervent appeal has been made to discard casteism, communalism and linguism and I think there will be echoing response from all sections of the House in endorsing this appeal. But, I should like to ask a pertinant question of those who occupy the Treasury benches, let them have the courage and turn the same searchlight into their heart and how many of them will be able to answer this question in the proper way. How many of them, whenever occasion arose, have given firmly and unflinchingly the only reply that to a given situation they have reacted as Indians only? Can they give us this reply?

I would like here to cite an example when the ruling party has committed the sin of sowing the seeds which ultimately are threatening the vital fabric of national unity. May I recall an old incident? One of the greatest sons of this country and a great patriot, Acharya Narendra Deva had the temerity to challenge the ruling party by standing as a candidate against its candidate. What were the means employed to defeat this man, to whom, when he passed away, the President, the Prime Minister and every other patriot in the country thought it worth while to pay

their homage. The peiple in his constituency were told that if Acharya Narendra Deva is elected to Parliament, Hinduism will be in danger.

Shri Sinhasan Singh (Gorakhpur): He did not say.

Shri Nath Pai: This is not hearsay. I will cite it.

आप जानते नहीं जनाब । वाचनालय में जा कर देखिए ।

Shri Sinhasan Singh No.

Shri Nath Pai: I am as much an Indian as you are. I know what I am talking about. Posters were circulated.

सुनिए

What did the posters show? There was shown a temple with the saffron flag flying over it and the socialists were shown firing their guns and it was said, if you elect these people?

अगर इनका चुनाव हो जाएगा तो हिन्दू धर्म खत्म हो जाएगा । यह उन्हीं को कहा गया है । आप पढ़ते नहीं, जाकर पढ़िए ।

Shri Tyagi: It is a corrupt practice.

Shri Nath Pai. We had today the speeches of two Ministers cited in this House. I do not want to criticise them individually. But, you scratch their skin and you find under the grab of a nationalist, a communalist hiding there. I would also like to make an appeal to the Minister of State here. Can he on oath say that on every occasion, and at every step, he has reacted and behaved and given answer unflinchingly as an Indian? Has not the Mysorean or something else burned in him? I am not indulging in any kind of personal criticism. But, this Bill must not be rushed through this House in that cavaliar, casual manner.

The subject of this illness, malady, that we seek to remedy by this Bill is a cancerous, fatal malady. Fifteen years after Independence, the fabric of national unity, national sensitiveness has been weakened and weakened dangerously. We saw its reflection, we saw its symptom in Jabalpur, in Assam. But, it has gone much deeper. Was it always so? No. During the worst days of foreign rule, the principal weapon with which we could challenge the might of Britain, defy and ombat it successfully was the shield of national unity. From Cape Comorin to the peak of the Himalayas, we reacted to a national insult as Indians first and foremost. The Jallianawala Bagh massacre took place in Amritsar. Every city in India felt its agony. Every city was bleeding. A blow was dealt on Bengal. Maharashtra felt its shame, its pain, its agony, with the poignance with which Bengal reacted to the division of Bengal. That was the fibre. That was the nature of the unity in those days. That shows that there was one body, one unity, one entity one nation. It is like a living body. You prick one part of it and the pain is registered throughout the body. It is happening today? Unfortunately, no. One part of the country bleeds against injustice against which it is fighting, under which it is suffering. There is total indifference in other parts of the country. We do not find the resounding echo of the call for help, for sympathy which we see in one part.

Take a recent example. We just cited the example of 1905 when the whole of India regarded the blow on Bengal as a blow on itself. Every part reacted. Recently, we found something different happening. There were Maharashtra and Gujarat, struggling and clamouring for justice. Justice had to be done. In the meanwhile, they raised the bogey that these people are communalists, these people are linguistic, and if their demand is conceded, the fibre of Indian unity will be threatened, and there will be fissures—these are the words—in the structure of Indian unity. Very unjust, very hurtful charges were levelled. It is this kind

[Shri Nath Pai]

of attitude, this continuous subordination of vital national interests to the expediency of party requirements that has threatened the unity of India. I know, the charges I am levelling against the ruling party are very serious. But, it is more in sadness, in pain that I speak than in anger.

On how many occasions do we see this spectacle? Only yesterday, we heard a debate here. The rest of India needs to stop and think, if something is ailing the whole community, where is the wound, what can we be doing. It has been properly said today that it is not the threat of punishment which will be fostering unity in this country. We shall have to go with the balm of understanding and sympathy. Then only we will be able to inculcate in our people that sense of unity which, with the passage of 15 years, we find dangerously weakened.

Are we, even today, trying to take proper steps? No. As has been rightly pointed out, if the Government, if the ruling party were deadly earnest to combat this tendency, law was not a hindrance. All the powers which they needed to combat fissiparous, disruptive, anti-national, anti-social tendencies were there in full amplitude at their disposal.. You never made up your mind about it. You were never sure whom you wanted to combat. Then, today, we find centrifugal forces pulling the country in different directions. I do not share the prophesy of Selig Harrison that the next 20 years will be most fatal for India's unity. I do not share the pessimistic view that during the next 15 years, we may see the tragedy of India falling to pieces. Ultimately, Indian patriotism and our sense of nationalism will triumph over centrifugal, disruptive tendencies and this country will remain an entity. Can we assume, take it for granted and go on pursuing policies in which section after section in the country feel that they do not get justice to which they are entitled? It is the refusal of the Government to give justice when it is due and at the proper time that creates this kind of feeling. We must apply our minds very seriously to this rather than come here with this Bill. This failure cannot be met by bringing a Bill. Deterrent punishment, we welcome. My party wants to see to it that we combat very decisively with such forces. We want to ask, what prevented the Government from using the two years' punishment. They, now, come and ask for three years. Was this punishment which was available to them used and it was found inadequate and it is therefore that they are coming to this House?

I want this Bill not to be rushed through: not because I am opposed to its spirit, but because I support it. Let there be a serious concentration of national attention on this very vital problem of national unity. Let not the Bill be rushed through in this casual, almost cavaliar manner. Let us try to create the necessary sanction of national awakening behind the Bill. Ultimately we know what happens to laws however so good they may appear to be on the statute-book. There is a fad of the ruling party, the prohibition law. They go on telling us that they are going to make India a very virtuous country. We know what is happening to this law. Law does not reform a society so very quickly; it is only the last thing. Let us first create the sanction in the mind of our people. Let there be an opposition to this kind of reaction in the mind of the people. Here, again, though it may appear to many of the Members on the opposite side, an unfair charge, does not the Congress in the last resort help communalism, and casteism? How are tickets distributed? Of course, that is their private affair. But how are tickets distributed when the election time comes? It is not the service of a particular individual; it is not his long record of suffering even for a party, but it is something which he cannot control, the community or the caste to which

he belong that determines the choice of the candidate; that determines the giving of the ticket. My hon. friends are nodding very approvingly because that has been the practice. And we want to create sanctions against communalism and against casteism. Here, again, there is one danger.

A nation builds its secularism and is non-communal and non-casteist approach by fostering and strengthening organisations and institutions which are secular. One of the pillars of national unity can be such an organisation like a trade union movement, healthy, genuinely representative of the people, responsible in its approaches and recognised by Government. What is the attitude of Government towards it? We find that everything is done to foster pocket trade unionism in the country. This creates again a sense of resentment, and to the extent that we weaken the genuine forces of secularism, we strengthen the communalistic forces in the country. What has been the record of the Congress?

If we had a mighty trade union organisation in this country, as we see in Britain, as we see in Israel, and as we see in many countries of the world where too democracy functions, we could see what a tremendous force it can be against this kind of anti-national forces?

What has been the record, here again? I am afraid that it has been a negative one.

Shri H. N. Mukerjee has referred to the peculiar conditions prevailing in Kerala. We have no two opinions about the Muslim League. Our party has made it very clear that the Muslim League is a national menace and must be ruthlessly combated in expression. (*Interruption*) I am answering his point. Let my hon. friend be patient. It must not be allowed to raise its ugly head in any part of the country. Kerala is a quarantine and must be treated as such. It is not a pointer; it is not an example to be followed anywhere else in the country.

Here again, may I try to point out to Shri H. N. Mukerjee that what we did, we did openly? We are not doing something surreptitiously and behind the scenes, as Dr. K. L. Shrimali the other day pointed out his party is doing at Aligarh. When we thought that it was necessary in a given limited case, we did it.

There is another thing also. It was very nice to have listened to an eminent and nice intellectual like Shri H. N. Mukerjee thundering against what led to the division of the country. I would only remind him that he better brush his memory by reading a pamphlet written by the then Secretary-General of the Communist Party of India, Shri Purnachandra Joshi, which was that 'Gandhi must meet Mr. Jinnah'; under the pretext of self-determination; that is the only party which sits in this Parliament today which has encouraged the divisive forces that led to the Partition of the country. They may conveniently forget this. But we never did so. Even when the proposal came before the Congress, mine was the only party which opposed it.

Shri Tangamani: My hon. friend may refresh his mind.

Mr. Deputy-Speaker: The hon. Member should try to conclude now.

Shri Nath Pai: Was this Bill to stop him or was it intended to indicate that my time is up?

Mr. Deputy-Speaker: Anyone who listens to it.

Shri Nath Pai: Sir, I would be very brief. I shall try to deal with one small point before I conclude.

Let the Bill be circulated to educate public opinion, to create public opinion, and it is possible that in this process we shall have in the Bill not only the stick of the law, the deterrent of the law but far more important, far more effective, the sanction of our people against this kind of tendency, and that can yet be done by setting an example. Charity begins at home.

[Shri Nath Pai]

There is a little quotation from the *Raghuvamsa* which I would recommend; I think the hon. Minister now and then used to read it. I strongly recommend it to those who sit on the Treasury Benches. In their case, a reading of the *Raghuvamsa* should be very compulsory and obligatory, because nothing teaches better how politicians, particularly those who are saddled with the responsibility of ruling, should behave, than that small book by Kalidasa. Kalidasa says:

यथापराध दंडानां यथा ाल प्रबोधिनाम्

'They take cognizance at the proper time and mete punishment as the culprit deserves'. Very good rule was laid down by that great poet. And they should follow it. But punishment, I conclude, will not be enough. Example will have to be set up, first, by treating this problem not as a party problem. I do not think the Congress is trying to treat it—here I differ from my hon. friend Shri Vajpayee—as an election stunt, but it may be requred not to make the unity of India a monopoly of the ruling party, because it is something, for the creation of which for the preservation of which, we need the co-operation of all the parties, the entire nation, of people whose loyalty to this country is unimpeachable; all of them will have to be summoned in this mighty task of preserving the unity, because all our dreams can be built on this single thing only, the foundation of India's unity, and it is today that which is in danger.

I, therefore, in the end, would submit to them, discard party approaches to it, take a national and broad view about it, and rather than concentrate on the law, see that we in our own behaviour behave first as Indians and then as something else.

पंडित ठाकुर दास भार्गव (हिसार) : जनाब डिप्टी स्पीकर साहब, इस बिल पर इतनी ज्यादा बहस हो चुकी है कि मुझे इस पर बहुत ज्यादा अर्ज नहीं करना है, लेकिन ताहम मैं आप की इजाजत से दो एक प्वायंट्स अर्ज करना चाहता हूं ।

जिस जमाने में हमारे मुल्क में स्ट्रगल फ़ार लिबर्टी चल रही थी, उस वक्त इण्डियन पीनल कोड की दफ़ा १२४ए और १५३ए को बेहद इस्तैमाल किया गया, क्योंकि गवर्नमेंट ने यह सोचा हुआ था कि इन दो सैकशन्ज से उन लोगों को रोका जा सकेगा, जो कि सेडीशन करते थे और जो स्ट्रगल फ़ार लिबटी को चला रहे थे । जब हम लोगों ने कांस्टीट्यूशन बनाया, तो ये सब बातें हमारे सामने थीं । कांस्टीट्युएन्ट असेम्बली ने सबसे पहले सैक्शन १२४ए को, जो कि गवर्नमेंट के हाथ में एक जबर्दस्त हथियार था, हटा दिया और लफ्ज सेडीशन को उड़ा दिया गया । सैक्शन १२४ए और सैक्शन १५३ए के अलफ़ाज शुरू से कुछ मिलते जलते हैं । सच बात यह है कि विलायत में इस बारे में जो ला है, वह १५३ए का नहीं है । सैक्शन १५३ए का जुर्म सेडीशन में मौजूद है और उसके सेडीशन ही कहा जाता है । ये दोनों कानून इस तरह मिलते जुलते थे कि इसमें दरअसल फ्रीडम आफ स्पीच एण्ड एक्सप्रेशन का सवाल आता है । चुनांचे जब हमने कांस्टीट्यूशन में फण्डामेंटल राइट्स रखे, तो उनमें सबसे अव्वल जगह, प्रीमियर प्लेस, दफा १९ को दी, जो कि इस तरह है--

All citizens shall have the right—

(a) to freedom of speech and expression;"

बाकी चीजें पीछे थी, लेकिन फ्रीडम आफ स्पीच एण्ड एक्सप्रेशन को बड़ी भारी जगह दी गई । मैं भी उन लोगों में से हूं, जिन्होंने सेडीशन को उड़ाने के लिए अमेंडमेंट भेजा था । उसके थोड़े अरसे बाद तकलीफ़ हुई, क्योंकि लोग सेडीशन स्पीचिज करते थे और लोगों को वायलेंस के लिये कहते थे और हमारे पास उसको दुरुस्त करने के लिये कोई कानून नहो था । इस की वजह से हम को ला में तबदीली करनी पड़ी, जिस से इस सिलसिले में गवर्नमेंट को कुछ हक हासिल हो गया । लेकिन

उस मौके पर हम यह भूल गये कि सेडीशन के बारे में हम ने जो ला बनाया, उस की वजह से दूसरे ला में इनरोड हो गया था।

मास्टर तारासिंह के केस के सिलसिले में पंजाब हाईकोर्ट दफा १२४ए और १५३ए को इनवैलिड ठहरने को कहा कि वे दोनों दुरुस्त नहीं हैं। आप को याद होगा कि उसके बाद कास्टीट्यूशन (फर्स्ट अमेंडमेंट) एक्ट आया, जिस की रू से हाईकोर्ट के फैसले को मुस्तरिद कर दिया गया। लेकिन इससे ट्रबल दूर नहीं हुई। मैंने चन्द दफा अर्ज की है कि कि हम दफा १२४ए और १५३ए को एडैप्ट करें और कोई ऐसा कानून बनायें, जो हमारी गर्ज को पूरा करे और लीगल भी हो। कास्टीट्यूशन (फर्स्ट अमेंडमेंट) एक्ट पंजाब हाईकोर्ट के फैसले को तो हटाता है, लेकिन उसकी रीजनिंग को नहीं हटा सका है। अगर कांस्टीट्यूशन (१) अमेंडमेंट न होता तब तो यह सारा कानून मुस्तरद कर दिया जाता, लेकिन अब भी इस फैसले के मुस्तरद न होने से यह ट्रबल दूर नहीं हुई। मैं अर्ज करता हूं कि हमें इस लाइट में इस को देखना पड़ेगा कि हम जो नया कानून बना रहे हैं उससे, जो इस ला को बनाने का मंशा है उससे, १९ (१) में जो फ्रीडम आफ स्पीच एण्ड एक्सप्रेशन की बात है, उस को तो धक्का नहीं पहुंचता है। यह कानून उसके बखिलाफ तो नहीं जाता है। हमारे सामने यह सवाल होगा कि हमें सोचना होगा। हमें देखना चाहिये कि जो हमारा फण्डामेंटल राइट है, जो हमारे लिये एक फण्डामेंटल चीज है, उस के साथ हम खेल नहीं सकते। यह हमारे कांस्टिट्यूशन के अन्दर जो चीज दी हुई है उस को हमें जरूर देखना होगा। हम उस के बखिलाफ नहीं जा सकते। इसके बारे में जो चीज हमें मदद दे सकती है वह जो इस के अन्दर १९(२) में रिजर्वेशन किया गया है, वह है। यह इस तरह पर है :

Article 19(2):

"(2) Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the States from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence."

सिर्फ इन चन्द अगराज के वास्ते जो बहुत लिमिटेड हैं, उनके इंटरेस्ट में हम रिजनेबल रेस्ट्रिक्शनस रख सकते हैं, वर्ना और किसी इंटरेस्ट के वास्ते हम फ्रीडम आफ स्पीच एण्ड एक्सप्रेशन पर रेस्ट्रिक्शन नहीं रख सकते। हर एक कानून को बनाने के लिये यह जरूरी होगा देखना कि आया यह जो अल्फाज हैं, यह जो इंटरेस्ट हैं, उन में से कोई उस चीज में आता है जो हम करने जा रहे हैं। आज नहीं तो कल आप इस कानून को बना लीजिये, लेकिन यह हाई कोर्टस और सुप्रीम कोर्ट में जायेगा और यह चीज देखी जायगी कि जहां तक १९(२) का सवाल है, यह उसकी रिक्वायरमेंट्स को पूरा करता है या नहीं।

मैं अर्ज करना चाहता हूं कि १२४ (ए) के अन्दर तीन एक्सप्लेनेशन्स थे और १५३ में एक एक्सप्लेनेशन था। यह एक्सप्लेनेशन इतने जरूरी है फ्रीडम आफ स्पीच एण्ड एक्सप्रेशन के वास्ते जिसका ठिकाना नहीं है। आखिर आप क्या चाहते हैं? बहुत से रिलिजन हैं जिनकी हम कद्र करते हैं, लेकिन उन रिलिजन्स का इन्फ्लुएन्स इसलिये नहीं हुआ कि उन में बड़ी खराबियां भी थीं और उन्होंने ह्यूमन सोसायटी के अन्दर बड़ी खराबियां की हैं। बहुत से रिलिजस लीडर्स हैं जिन की हम पूजा करते हैं। उनके अन्दर कितने ही गुण थे

[पंडित ठाकुर दास भार्गव]

जिनकी वजह से उन की पूजा होती है, लेकिन उन के अन्दर अवगुण भी थे । किस तरह से आज उनकी खराबियां बयान की जाती हैं कि हमारे लीडरों ने ऐसा किया, ऐसा किया । हमारे पैगम्बरों की बेइज्जती की जाती है, हमारे देवताओं की बेइज्जती की जाती है, लीडरों की बेइज्जती की जाती है । लेकिन अगर दरअसल सोसायटी को बढ़ाना है, साइन्स को बढ़ाना है और सही मानों में हमें उन्हें ऐप्रिशिएट करना है या जो बुराइयां फिलवाक्या उनमें थीं, उन को एक्सप्रेस किया जाता है अपने कांडक्ट को ढालने में, तो हर्गिज किसी किस्म का ऐतराज इसमें नहीं होना चाहिये ।

जनाब को याद होगा, पंजाब के अन्दर एक बड़ा भारी मुकदमा चलाया गया जिस को "रंगीला रसूल केस" कहते हैं । उस केस के अन्दर क्या करार दिया गया ? जहां तक इस बात का सवाल है कि हर पैगम्बर अच्छा है, उसकी इज्जत की जाय, यह सब ठीक है, लेकिन अगर कोई शख्स उन चीजों को दूर करने के वास्ते जो पैगम्बरों ने गलतियां की हैं, कोशिश करे या प्रोपेगण्डा करे तो यह जायज चीज है, वह गलत चीज नहीं है । इस वास्ते में अर्ज करूंगा कि इसे देखना चाहियें कि क्या इस प्वाइंट आफ व्यू से यह जो एक्सप्लेनेशन था, जो कि एक तरह से सेफ्टी वाल्व था, उसको हटा देना हमारे लिये जायज है या नहीं, और उसे हटा देने के बाद फ्रीडम आफ स्पीच एण्ड एक्सप्रेशन का जो हमारा फण्डामेंटल राइट है वह बचता है या नहीं ।

मैं खुद इस का हामी हूं कि फेसिपोरस एण्ड सेपरेटिस्ट टेन्डेंसीज न हों, और कौन ऐसा है जो आज के दिन आसाम का झगड़ा देखते हुए न चाहे कि यह झगड़े फौरन बन्द हों । कानून से बन्द हों, और अगर कानून से न बन्द हो सकें तो और तरह से बन्द हों । जैसा मेरे और दोस्तों ने बतलाया, और मैं उन से ऐग्री करता हूं, कि बहुत से ऐसे तरीके हैं जिनसे यह बन्द होने चाहियें थे, और अगर वह उनसे बन्द नहीं होते और यह चीजें तरक्की पर हैं तो उस में खुद हमारी गवर्नमेंट का कुसूर है । उनका रवैया इस तरह का नहीं है जिससे कि इस तरह की चीजें पैदा न हों । उन का रवैया ऐसा है जिस की रूह से, भले ही आप उसे पार्टी का प्रेशर कहिये या किसी पार्टी की सपोर्ट कहिये जिस को वह नाराज नहीं करना चाहती, जस्टिस से काम नहीं लेती । इस की वजह से यह चीजें मौजूद हैं और उनको हटाना चाहिये । यहां पर श्री नाथ पाई ने फरमाया कि फिल वाक्या और भी चीजें हैं, हमारा कांडक्ट है, गवर्नमेंट का कांडक्ट सब का कांडक्ट, गवर्नमेंट आफिशल्स का कांडक्ट, सब इसके लिये जिम्मेदार हैं कि हम इन्साफ से काम नहीं करते । हम पार्शियलिटी करते हैं, जिससे यह सब चीजें पैदा होती हैं, और उस को दूर करना चाहिये । लेकिन आज के दिन यह सवाल नहीं है ।

आज के दिन मैंने जो तकरीरें सुनी, बहुत से जनरल टापिक्स पर, यह फिल वाक्या जर्मन नहीं है इस बहस में । हमारे सामने सिर्फ सवाल यह है कि जिस कानून को बदलने की बात की जा रही है, उस को बदलने के लिये हर शख्स को अपनी बात पेश करनी चाहिये जो कि उस को बदलवाना चाहते हैं । जो दो से तीन बरस की सजा लाना चाहते हैं अगर वह सजा सख्त हो तो पब्लिक माइण्ड बहुत संगीन हो जाता है, अगर इस वजह से इस चीज को रक्खा गया है तो कोई ऐतराज नहीं, लेकिन यह तो मालूम होना चाहिये कि कितनों को दो साल की सजा दी गई और वह डिटरेंट साबित नहीं हुई, जिस की वजह से तीन साल की सजा की जा रही है । इस तरह की कोई स्टैटिस्टिक्स नहीं मिलीं । त्यागी साहब की यह शिकायत है कि इस बिल को अच्छी तरह से लागू नहीं किया गया । तब सवाल यह है कि हम क्यों इस को तबदील

करना चाहते हैं । अगर पुराने सेक्शन को हम देखेंगे, १५३(ए) को, जिसकी लीगल वैलिडिटी के वास्ते आज मास्टर तारासिंह का मुकदमा डाउट दिलाता है, उस को देखिये, दोनों सेक्शन्स को, पुराने और नये, मिलायें तो मैं अर्ज करना चाहता हूं । कि मुझे ऐसा मालूम होता है कि फिल वाकया यह बिल मिसकंसीव्ड है । सब से अव्वल जो सवाल है वह यह कि इस में चार ग्राउण्ड्स लिखी हैं :

"On grounds of religion, race, language, caste or community or any other ground whatsoever"

यह लिखा है कि 'आन एनी ग्राउण्ड व्हाटएवर" इसमें मिस्टर त्यागी का उज्र यह है कि ग्राउण्ड वगैरह, सारी कुछ न कुछ मालूम करनी होंगी । यह जायज बात है । जब तक आप यह नहीं बतलायेंगे तब तक ठीक नहीं होगा । इसमें क्या लिखा है । लिखा है कि कोई न कोई ग्राउण्ड होनी चाहिये । पहले जो अल्फाज थे यह बहुत वाइड थे, कोई ग्राउण्ड्स नहीं थीं जिन को लिखने की जरूरत थी । कोई नहीं कह सकता कि जो जो ग्राउण्ड बतलाये गये है वह सारे गलत हैं । अगर कोई ग्राउण्ड नहीं बतलायेंगे तो The conviction will be bad, there is no doubt. आप इस को क्यों नहीं तबदील करना चाहते हैं ? आपने लिखा है कि "आन एनी ग्राउण्ड व्हाटएवर" लेकिन ग्राउण्ड तो है । पहले जो ला था उसके अन्दर यह नहीं था । उसके अन्दर अगर कोईफीलिंग पैदा कर दे तो यह जिम्मेदार होता था । आप उसको रेस्ट्रिक्ट करते, बजाय इसके कि चौड़ा करते । इस बिल पर मेरा जो सबसे बड़ा ऐतराज है वह यह है कि यह बिल एक तरह से ऐसी चीज को जुर्म बनाता है जो कि फिल वाकया जुर्म नहीं है ।

जुर्म की असली चीज इंटेशन है । अगर किसी शख्स का इंटेशन खराब नहीं है, वह नेक मोटिव से कोई काम करता तो है, भले ही आप उसे जुर्म बना दें लेकिन वह जायज जुर्म नहीं है । अगर वह किसी चीज को सही समझता है अपने कंविक्शन के मुताबिक, तो लोग उस के साथ हमदर्दी रक्खेंगे । आज इस बिल में इंटेशन का कोई जिक्र नहीं है । मैं अर्ज करना चाहता हूं कि अगर कोई ऐसा काम करता है जिससे जो इसमें दर्ज है उसका प्रमोशन हो जाय, चाहे उस की फीलिंग जो हो, तब भी वह जरूर जिम्मेदार है । इसमें कोई इंटेशन का सवाल नहीं रक्खा गया है । मैं जानता हूं कि तमाम रूलिंग्स है बम्बई हाईकोर्ट की और दूसरे दो तीन हाईकोर्टस की, जिनके अन्दर इन अल्फाज को लिखा गया है :

"promotes or attempts to promote"

इसके अन्दर उन्होंने एक तरह से कंस्ट्रक्टिवली लिखा है कि इस के अन्दर इंटेशन की बू आती है, लेकिन फिल वाकया कितनी ही रूलिंग हैं जिनके अन्दर करार दिया गया है कि कोई १५३(ए) के जुर्म में इंटेशन्स का सवाल नहीं है । कुछ रूलिंग्स का इशारतन जिक्र किया गया लेकिन कुछ रूलिंग्स उसके बखिलाफ भी है। अब अगर इनिमिकल फीलिंग्स या हेट्रेड यहां बन जाय तो इंटेशन चाहे जो हो, ही बिल वी गिल्टी । मैं अर्ज करना चाहता हूं कि यह वाजिब नहीं है । इस उसूल को लेकर इसके अन्दर जो एक्सप्लेनेशन है, उसे आपने हटा दिया । इसके माने हैं कि आप ने साफ कर दिया कि इंटेशन का कोई सवाल पैदा नहीं होता । अगर किसी शख्स की तहरीर से या तकरीर से यह चीज पैदा हो जायेगी तो कैसा भी इंटेशन हो, वह गिल्टी हो जायेगा । यह चीज बिल्कुल नाजायज है ।

मैं जानता हूं कि आप ने लफ्ज लेंगेज बढ़ाया है । मैं पंजाब से आता हूं और मैं जानता हूं कि लोगों की फीलिंग्स कितनी एक्सर्साइज हो रही हैं । आसाम का किस्सा हमारे सामने है, बंगाल का किस्सा हमारे सामने है, आल इंडिया किस्सा हमारे सामने है, हिन्दी पर और अंग्रेजी पर तूफान है,

[पंडित ठाकुर दास भार्गव]

स्क्रिप्ट पर बहस थी कि उस को आल इंडिया कर दिया जाय। इस पर बढ़े से बढ़े बुजंग राजा जो इस के बखिलाफ हैं और जो चाहते हैं वह कहते हैं। मैं अर्ज करना चाहता हूं कि जो भी इस से ऐग्री नहीं करते अगर वह ऐसा नहीं कहते तो वे सब बे ईमान हैं, जो उन सब के पार्शियल इंटरेस्ट हैं अगर उन को वे ऐडवान्स करते हैं तो गलती करते हैं। लेकिन जो इसे नाजायज कहते हैं और चाहते हैं कि तब्दील हो जाय, तो लैंग्वेज के मुताबीक उन पर जुर्म होता है, वे कहां जायें? अगर आप इस की इजाजत नहीं देंगे और सेफ्टी वाल्व नहीं रक्खेंगे तो मुझे डर है कि आप जिस चीज को रोकना चाहते हैं वह डीप रूटेड हो कर अन्दर ही अन्दर कायम रहेगी और इस से ज्यादा नुक्सान पहुंचेगा। असल इलाज यह है कि आप सब चीज का मुकाबला करें दलील से खुलेतौर पर जो चीज सामने आये उसे देखें। चाहे रीजन से या प्रापेगेंडा से मुकाबला होना चाहिये कानून से उस का इजहार बन्द करना वाजिब नहीं है। इस-बाबते मैं यह अर्ज करना चाहता हूं कि अगर शख्स इल्लेजीटिमेट कारवाई करे तो उसको तो आपको जुर्म करार देना चाहिए लेकिन जो ऐसा न करे उसके खिलाफ यह कानून नहीं लागू किया जाना चाहिए।

आपने बर्थ शिड्यूल्ड कास्ट बनाएं हैं और मैं कई बार इसके बारे में कह चुका हूं कि यह मुनासिब नहीं है क्योंकि ऐसा करते हुए आप जो कास्टलैस सोसाइटी बनाना चाहते हैं। वह कैसे बन सकती है। इस तरह तो आप जो चीज बनाना चाहते हैं उसी के खिलाफ काम कर रहे हैं। इसलिए मैं अदब से अर्ज करना चाहता हूं कि कि जिस चीज के बारे में लोगों में ईमानदारी से इख्तिलाफ राय है उसको आप इस कानून की जद में न लाएं, अगर आप ऐसा करें तो उनकी राय का सप्रेशन होगा और सप्रेशन से यह चीज दूर नहीं हो सकती।

अभी कल आपने सिखिस्तान का किस्सा सुना, हम अछूतिस्तान की बात भी सुनते हैं, कोई कोई जाटिस्तान की बात भी करते हैं द्रविड़िस्थान की बात भी की जाती है। सरकार इनको दूर करना चाहती थी लेकिन कानून होते हुए भी दूर नहीं कर सकी ये चीजें इस तरह से दूर नहीं हो सकती। यह चीज तो फर्मनैस से समझाने से और प्रोपगेंडा से दूर हो सकती है। अगर आप लोगों की राय को सप्रेस करेंगे तो ज्यादा खराबी बढ़ आएगी। इसलिए मैं अर्ज करना चाहता हूं कि यह चीज इंटरेस्ट आफ जस्टिस के खिलाफ है, फंडामेंटल राइटस के खिलाफ है कि किसी की राय को इस तरह दबाया जाए। परमात्मा ने जब आदमी को जबान दी तो उसका मंशा था कि वह उसको जायज तौर पर इस्तैमाल करे। अगर कोई जायज तौर उसका इस्तमाल करता है तो उसको इस कानून की जद में नहीं लाना चाहिए। इसलिए मैं अर्ज करना चाहता हूं कि आपने एक्सप्लेनेशन हटा कर गलती की है। दफा १२४ का जो एक्सप्लेनेशन था उस पर बाल गंगाधर तिलक ने स्टैंड लिया था और उससे हजारों आदमियों को प्रोटेक्शन मिला था। ब्रिटिश गवर्नमेंट जो कानून बनाये उनमें उसने कुछ लूपहोल रखे थे और वे कहते थे कि उनसे उनको मदद मिलती है। तो मैं आपसे यह अर्ज करना चाहता हूं कि इस एक्सप्लेनेशन को हटाना मुनासिब नहीं है। ऐसा करना मुनासिब नहीं है, जायज नहीं है।

इसके अलावा आप मुलाहिजा फरमाएं इसका एक दूसरा पैरा है उसमें यह लिखा है :

"commits any act which is prejudicial to the maintenance of harmony between different religious, racial or language groups or castes or communities and which

disturbs or is likely to disturb the public transquillity,"

मैं यह अदब से अर्ज करना चाहता हूं कि इसमें जो ये अल्फाज हैं "विच इज प्रेजूडीशियल टू हारमनी" ये बेग हैं और मिसचीवियस हैं। इनके बीच में बहुत सी चीजें आ जाएंगी। मैं समझता हूं कि इन अल्फाज को रखना मुनासिब नहीं है। ये अल्फाज अभी तक किसी कानून में नहीं आए हैं और उनके बारे में कोई राय नहीं दी गयी है। इसलिए इनको इसमें न रखा जाए।

इसमें यह भी कहा गया है :

"which disturbs or is likely to disturb the public tranquillity."

इस तरह इसमें दो शक्लें हैं, एक तो है "विच डिसटर्बस पब्लिक ट्रांक्विलिटी" और दूसरी है "विच इज लाइकली टू डिसटर्ब दी पब्लिक ट्रांक्विलिटी" जहां तक पहले हिस्से का सवाल है वह तो कांस्टीट्यूशन की दफा १९ (२) में जाता है लेकिन दूसरा हिस्सा उस दफा के खिलाफ जाता है। अगर इसी तरह इस कानून को बना दिया गया और अल्फाज "लाइकली टू डिसटर्ब दी पब्लिक ट्रांक्विलिटी" को रहने दिया गया तो कोई सुप्रीम कोर्ट या कोई कोर्ट उसको गैर कानूनी करार दे देगी। इसलिए मेरी गुजारिश है कि इस का पहला हिस्सा तो जायज है, लेकिन जब आप कहते हैं "लाइकली टू डिसटर्ब" तो इससे कानून बहुत चौड़ा हो जाता है।

इसलिए मैं अदब से अर्ज करूंगा कि आप इस कानून को सीमित कीजिए, इसमें एक्सप्लेनेशन को रखिए और कांस्टीट्यूशन की दफा १९(२) की रिक्वायरमेंट्स को पूरा कीजिए, नहीं तो डर है कि यह ईस्ट पंजाब हाई कोर्ट के फैसले की वजूहात की जद में आ जाएगा और गैर कानूनी करार दे दिया जाएगा। आपके कानून का पहला हिस्सा बाद के १९ (२) को आफेण्ड करता है और दूसरा बहुत वसी है।

Shri Raghubir Sahai: Mr. Deputy-Speaker, Sir, it was expected that after independence, Indians of all walks of life would consider India as their own country and would try to guard its honour, unity and integrity, which was to be preserved at all costs and would not think in terms of caste, religion or community or language.

Sir, we shall have regretfully to admit that such is not the case. And, though we talk of national integration, in fact, at times, we see that there is national integration, and that we are thinking in terms of caste, religion, language and community which give rise to trouble.

We have seen in Assam, only very recently, what ugly things took place there, on the basis of language. One class of people said that Assamese was their language or Assamese was the language of the entire State and others protested that Bengali should be given an equal status. Thereafter we saw what a pandemonium arose there in Assam. Many thousands of helpless people had to leave their hearths and homes and flee to West Bengal.

Similarly, we saw in Jabalpur that on a very regrettable incident when a girl of the Hindu community was raped by, it was alleged, a Muslim, it gave rise to intense dissatisfaction and feelings amongst the communities and so many people of the minority community were put trouble and harassment.

These are things which bring disgrace to the entire nation. We cannot gloss over these facts; we have to take note of them.

[Shri Raghubir Sahai]

My hon. friend, Shri Vajpayee said that Government is bringing this Bill because there is the general election before us. Does he ignore all these facts which I have stated and which, perhaps, have persuaded the Government to bring in this Bill? I know and feel that mere legislation or mere amendment of a particular legislation that already existed is not enough. In our country we shall have to see that poverty is eradicated, that the general standard of education is raised. That is admitted. But in achieving these two objectives, time is required. Who knows how much time will be taken to eradicate poverty from our country and to raise the general standard of education? Meanwhile, we have to do something. And, therefore, it became necessary that there should be a suitable provision in penal legislation to deal with such ugly instances and incidents.

I quite admit that vigilance on the part of the administration is very necessary; and had the State Governments been sufficiently vigilant, perhaps, these incidents could have been avoided. I feel that if the provisions of the Detention Act which already existed had been used in the right manner, perhaps, much of the trouble could have been nipped in the bud. But, if steps are taken to tighten the law which stands at present, why should we complain?

Some hon. Members have suggested: by making this change you are limiting the scope of section 153A. I do not agree with that. On reading the existing section and the amended clause I find that in para I of the original 153A, in line 3, after the word 'promote' the following words have been added:—

> "On grounds of religion, race, language, caste or community, or any other ground whatsoever".

In the same line, all words after 'different' are deleted and the following words substituted:

> "Religions, racial or language groups, or castes or communities; or"

In the second para, the explantation has been deleted and a new second para had been added, namely:

> "Commits any act which is prejudicial to the maintenance of harmony between different religions, racial or language groups or castes or communities and which disturbs or is likely to disturb the public tranquillity,

shall be punished with imprisonment which may extend to three years or with fine or both."

From the changes that have been made now, it would be seen that the intention of the Government is to put emphasis on promotion of feelings of enmity on grounds of religion, race, language, caste or community, which was not so specifically mentioned in the former section 153A. To say that it has been narrowed down, I think, is not correct. It is a welcome change and it should be accepted by everybody here irrespective of party or group in the interest of the country. I feel that besides these points of view which the Government had in mind, the tendency should be taken note by the Government also where in the name of our Constitution the liberty of expression is being misused and uncalled for insinuating remarks against the Government are made with a view to promote enmity and hatred between communities. My learned friend Prof. Mukerjee took notice of my amendment and he was rather unkind to me in having made an insinuation that I took the cue for that amendment from the Government. It was not so. I took the cue for moving that amendment, I am really very sorry to say, from the resolutions of the Muslim Convention that took place in Delhi. At the time when the Muslim Convention took place, I really welcomed in my heart of hearts that our Muslim friends would come out with their legitimate grievances. Under the present Constitution there is libe.ty for every clas and every

group and every community to represent their legitimate grievances. Here, there are Hindus, Muslims, Sikhs and Christians and every community can legitimately give vent to its feelings. Similarly in every State legislature they can give vent to their feelings. But to make sweeping insinuations and false charges against the Government was very unfair. That convention was attended by very responsible persons and I felt very sorry that it should pass a resolution that the provisions of the evacuee law were not properly used in the State of West Bengal. I thought at first, it was a great mistake on the part of the Government, having framed that law and not implementing it. After a few days, this letter was received from hon. Minister Shri Khanna which took notice of that resolution and which removed many of the cobwebs from our minds. What does this letter say?

> "This letter concerns part (2) of the resolution passed at the Indian Muslim Convention held on the 10th and 11th June 1961, in Delhi.... The Convention expressed its grave concern that Muslims had been forcibly and illegally ejected out of their houses and property as a result of the riots of 1950 in West Bengal and that their mosques, Imambaras, etc. had been occupied by the refugees and the locals and were still in their occupation."

If what is stated therein is correct, it is really a matter of great shame to the entire Government and to the people of this country. But the letter of Shri Khanna says:

> "The resolution of the Convention in regard to West Bengal, as that regarding the implementation of the Evacuee Property law in the Western region, has no relation to facts and is based on inaccurate information... Out of 12,808 effective applications received for restoration, properties have already been restored in 12,709 cases.... Regarding the restoration of mosques, Imambaras, etc. the position is that in the whole of West Bengal, there are no Muslim places of worship, with the exception of 16 mosques in Calcutta which are in the unauthorised occupation either of refugees or of locals. The West Bengal Government is taking action in regard to the clearance of these mosques also, and I hope that they will be cleared soon."

If the facts were like this, the Muslim Convention should have adopted a resolution thanking the Government for having implemented the provisions of the Evacuee Law to the best possible extent.

Another instance that pained me was the resolution on Government services. It is reported here:

> "The resolution on Government services said in accordance with article 16 of the Constitution no citizen could be deprived of Government service on the basis of religious discrimination. It was a matter of deep regret that at all levels in Government and semi-government services, Muslims had only a nominal representation. This discriminatory treatment ran counter to the secular concept of the Constitution, the resolution added."

I feel that no worse criticism could have been made of the Government than by this resolution. They are unfair criticisms whereby the feelings of other communities are roused and by passing this resolution they were not only unfair to the Government and to the country but they had roused the feelings of their co-religionists so that they might harbour feelings of enmity and hatred towards others. It is a matter which should be taken note of. Shri Vajpayee said that there was a move that the other communities might also hold somewhat similar conventions. They can also pass such

[Shri Raghubir Sahai]

sweeping remarks against the Government. Thus, there would be sweeping remarks of one community and sweeping remarks of another community and that will place the Government in a very difficult position.

Shri Vajpayee: Why was Muslim Convention allowed? Why were Muslim Congressmen allowed to attend that convention?

Shri Raghubir Sahai: You can put that question to the Government. I say that such unwarranted statements against the Government with a view to rouse the feelings of communities and to create hatred, should be denounced and taken note of. I think that my amendment will be duly noticed by the Government in the spirit in which I have moved it. I welcome this Bill and oppose the motion for circulation of the Bill to elicit possible opinion.

Mr. Deputy-Speaker: Shri Ganpat Sahai—not here. Pandit K. C. Sharma.

Shri Ganpati Ram (Jaunpur—Reserved—Sch. Castes) *rose*—

Mr. Deputy-Speaker: I have not forgotten the hon. Member's name. Only, I have not called him yet.

Pandit K. C. Sharma: Sir, I rise to support the Bill. I know that a Bill or an enactment passed by the Parliament will not solve the problem, and I do not fear the discordant notes in society or even the disintegrating forces playing their part. Nobody who knows the science of sociology would admit that the course of evolution is a straight line. It is a zigzag line, and as you go on, you fall; you come back and you go again. So, integration and disintegration, or, as the Communists say, thesis and antithesis, are a part of a greater synthesis, just as integration and disintegration are part of a revolutionary progress. That is, as you go, you take a line and come back a bit, and if you make a greater attempt again a greater distance is covered. So, I take the view that this measure is necessary at this present stage of development of the country.

But what is the problem? The problem is that India has been a stagnant, inert country. It has no movement. In centuries, for the first time, a great leadership comes in; a party comes, and a programme comes, and the men and women are coerced into action. Again, action is an irksome problem. It is just like the pulling of bullocks when they are to pull an overloaded cart. Actually, they do not try to pull but only try to point their horns towards each other. It is disharmony. It is not merely a question of language or caste or any other thing which is raised to create trouble. That is not, in reality, the question. The question is a simple one: it is an irksome problem to move forward. An inert mass running into a dynamic force is itself a difficult process. Everywhere, round the world, these things have happened and here in India they are bound to happen. The remedy lies in a dynamic programme creating employment for every man and woman. The question is whether you can force every man and woman to work and make it impossible for the people to live with ease. That is the fundamental question. The question is not of disharmony. The question is one of refusal to work; the question is one of turning an inert man to a man who could work with dynamic force. This is a sociological question; it is a difficult process. Taking resort to law and taking to this course or that course is simply side-tracking the real issue.

After touching on this fundamental problem, I now come to this particular piece of legislation. I would respectfully submit that there is nothing in law or any principle of law which you can negative either on the score of its advisability or its validity.

There are two problems: one is the State must be a stable State. The Government must be stable. You will find in every country a section which is similar to section 124A. That is, disloyalty must be penalised. A provision like section 153A is covered by the law of sedition in England. Disputes among the communities which affects public order also offend against the stability of the State. Peace and order and stability of the State are necessary requisites for any welfare State or for any progressive society. So, it is in the interests of the people to bring in a law, especially when peace is disturbed and public order is disturbed and troubles are created. I do not hold that creating trouble by itself is a very great offence or a very great immorality, but that is an hindrance in the process of achieving a welfare State.

Now, what is the position? I would simply refer to another view-point. Every State must be stable and well-ordered and must command the respect of the people. Another necessary factor that must be remembered is, a modern State must be secular and must be progressive. What is secularism? Secularity does not mean denial of any opinion or prejudice against one religion or another or prejudice against one faith or the other. Modern secularity, at its noblest, is a positive system of values based ultimately on the Greek ideas of justice, order, reason and humanity. It is a positive concept that values should be independent and not tied to religious faith. It is an age-long conception or concept of values not being opposed to a particular faith or particular dogma or particular belief, and that has worked for centuries in States in the interests of the people and it has been a strong element in the progress or the greatness of any State.

In India, it cannot be denied that we are determined to have rapid strides to greatness. If it is a fact that India is making rapid strides to greatness, then it is inevitable that we must stick to the secular conception in its noblest form. Therefore, one community acting in a way which would endanger tranquillity or create disharmony among the people or which will create bad blood among the people, while it may not be an abstract offence against the people, is certainly an offence in the present stage of India's development, and as such it should be penalised.

As to my hon. friend, Pandit Thakur Das Bhargava's objection, I maintain that it comes within the exception to the freedom of speech, that it is against public order, that it is against public decency. It is against public morality to create bad blood among people and to abuse other communities simply because some people like to believe certain things or speak certain languages or do not belong to a particular community to which some others belong. If such things are not immoral, what else is?

15 57 hrs

[DR. SUSHILA NAYAR *in the Chair*]

I should like to make one more submission. Never has been liberty so extensive and so well-received as it is today from one corner of the world to another. There is no other religion but the religion of liberty. In the book written by Durant, a very eminent writer, a young man asked his father, "Well, daddy, why should you restrict my movement?" The daddy says, "The way of life you lead will result in death". Then, for the first time, a young boy questions his old daddy whether it is advisable to live a shorter life, but a pleasant one, in comparison to a longer life without much pleasure. What is the distinction between pleasure and a dreary life? Of course, liberty. Nowwhere in the world it was seriously questioned.

[Pandit K. C. Sharma]

16 hrs.

In the present age, liberty is religion. Liberty might be religion and liberty might be the first article of faith, but if there is a flood and the highways are cut and the children are out to play, it is safer to raise a wall against the *nallah* that might wash away the young children, rather than just saying that there is danger on the other side. The wise parent would like to put a wall so that the child may not be carried away into the torrential stream.

Therefore, nobody can deny that things have taken a serious turn. As a leader in a daily paper says:

> "Political differences, regional sentiments, economic factors, factional rivalries, and personal ambition have all had a part in the break of law and order and creating a state of anarchy where life, honour and property for a considerable time had been at the mercy of those who knew no social decency, no legal limitations, no ethical scruples and constitutional obligation, recognised no legal authority to control their illegal and inhuman actions."

It is a comment on what happened in Assam. If this is the position, law must come to the rescue of the people, and help to maintain the law and order situation. Law is nothing else but a rule of civilised conduct. If it is a rule of civilised conduct, breaking it is uncivilised conduct and the law must help to prevent this.

Shri Naushir Bharucha (East Khadesh): Mr. Chairman, from the debate that has so far proceeded, one thing emerges very clearly viz., although hon. Members have felt that there is need for some type of legislation which might curb the fissiparous tendencies which are now in evidence, at the same time they cautioned against relying too much on law for achieving that end. National integration is a thing against which nobody will have a say. While we are so dedicated to the object of the Bill, it is necessary to examine whether the present Bill before the House will in any measure serve to attain this objective.

I do not agree with the view expressed by the hon. Minister in charge of the Bill that this is a simple measure. To my mind, both from the point of view of draftsmanship as well as from the point of view of content, it is one of the most controversial measures we have ever come across.

If we examine the existing legislation it will be found that the existing section 153A does not contain the words "on grounds of religion, race, language, caste or community or any other grounds". Then, let us ask whether the purpose we have in view can be served by inserting these words. If we feel that anybody who promotes feelings of enmity between different religious groups or linguistic groups is to be punished, then let us understand the existing situation.

Madam, there are many States where at least in parts election campaigns will be fought on the language issue. Let us not shirk that reality. It is not only in Punjab or Assam, but it is also in Maharashtra. I for one would like to know how any candidate could formulate his speech, however mild and reasonable it may be, which may not have the tendency of promoting ill-feeling. We are not saying here, mind you, that if the intention is not to promote such feelings then the person will be excused. Whatever his intentions are, that is immaterial. If the net result of the speech is that feelings of enmity or hatred between different religous or linguistic groups are promoted, then the mischief of this particular new section will be attracted. I am inclined to believe that the statements which the hon. Prime

Minister made on Punjabi Suba would fall within the scope of this new Bill. It is not that he had the intention of promoting feelings of enimity. But here intention seems to be immaterial. If the words do, in fact, promote, as they might,—because you cannot judge what type of fanatic people may belong to various religious communities and what may be unreasonable from one point of view may be a sufficient provocation from the point of view of another class of persons,—then the mischief of this clause is attracted. Even the draftsman have not thought it fit, and for certain reasons too I understand, to incorporate the word "maliciously" in the first part of the proposed legislation. Supposing we had said: "Whoever by words etc., maliciously promotes or attempts to promote on grounds of religions etc. feelings etc.", then that would exclude all honest and *bona fide* attempts at explaining to the voters the point of view that a candidate desires to put forward. But if we incorporate the word "maliciously" another trouble arises, namely, that the malice has to be proved, and that again might create a loophole from which many an accused person who is definitely malicious might escape.

Again, take the second portion of the clause which reads: "Whoever commits any act which is prejudicial to the maintenance of harmony between different religious, racial or linguistic groups" etc. Here again the intention is immaterial. For example, take the speech or the statement which the Prime Minister made on Punjabi Suba. It is bound to put up one class aginst another, not because the Prime Minister is at fault but because of the peculiar way of thinking of this or that particular class, and because one or the other class gets provoked without reason it means that the party which made that statement is at fault. The words here are: "commits any act which is prejudicial to the maintenance of harmony". The act may be good in itself. That does not matter. It is not necessarily that the act need be unreasonable. The speech or the statement may be very good, a very wise act, but it may flare up one section against another. One cannot help it. Then it is said: "and which disturbs or is likely to disturb public tranquillity." Today in Punjab precautions are being taken because they feel that public tranquillity is likely to be disturbed and it is bound to be disturbed in a tense situation by any speech however innocent, of which one section of the people or the other does not approve. I would, therefore, like to know from the Government the central factor: how can you blame a person making a *bona fide* good speech with the object of drawing attention to a particular grievance, if the reaction of that speech is totally different and unexpected on the minds of different linguistic groups? How is it the fault of the person making a speech if the reaction to it is totally different? If he intends to disrupt harmony or public tranquillity, I could have understood if there was some such precautionary phrase used namely, "who has without good faith committed any act which is prejudicial to the maintenance" etc. as "good faith" has been defined in the penal Code. One could understand that if a person wantonly disturbs, or maliciously disturbs peace, he must be penalised, but not a person who desires *bona fide* to state his point of view. Therefore, I submit that whatever our desires may be, so far as legislation is concerned, it is a very practical and hard reality which is tested in a court of law after arguments are heard from both sides and it is not a matter which is decided there by the number of votes. So, in order that the law may be knave-proof and flawless I submit that it will have to be very carefully considered and recast.

I am of the view that the Explanation which is at present existing to section 153A, which defines what is not an offence within the meaning of

[Shri Naushir Bharucha]

that section, "unless it is done with malicious intention", that explanation requires to be retained if at all the Government desire to push this legislation through. I can understand the principle on which the explanation was sought to be deleted. May be, it was felt that the explanation will permit,—as a matter of fact, it has permitted—several people who desire to inflame communal passion to escape through the loophole, because they can always say that they honestly desired to urge the removal of certain grievances and that they had no intention of creating feelings of enmity between different classes of people. Therefore, it is not merely what we desire, namely, national integration, that should prompt us to bring in a legislation of a type where the remedy may be worse than the disease itself. I fully agree with the speaker who preceded me, who said that by legislation you cannot have national integration. A good deal of social and other activities are required, particularly educational work, because unless that is done the ground for national integration will not be prepared. Therefore, whatever your intentions may be, and however much you may desire national integration, you cannot force national integration by penalising people by saying that on this, that or the other ground you shall not create enmity or hatred between different groups or communities.

Take the example of what is existing in Punjab today. There is a ban, a blanket ban, prohibiting any comment or any agitation in support of the Punjabi Suba. Do you believe that this type of blanket ban will serve that purpose? Because, a scheme that does not permit free expression may give rise to a tendency which may result in explosion ultimately, and it is not a wise thing to do. But, at the same time, we must recognise, as the hon. Minister in charge of the Bill has stated, that there is need for curbing the fissiparous tendencies.

All I can say is, situated as we are, and taking into consideration the grim reality that all legislation will have to be tested in the court of law and all legislation must take into account practical conditions as are prevailing in the country, if it is to serve its purpose, taking all these factors into consideration, I think the first thing that the Government should do is that they must refer the Bill for eliciting public opinion. That is the first thing which is very necessary. It is not as if we are in favour of perpetuating any type of tendency which results in communal disharmony. But we do not want to resort to a remedy which is worse than the disease.

Secondly, I would suggest that the measure should be referred to a Select Committee. It is not possible to say off-hand in the course of one's speech in this House exactly what should be the phraseology and to what extent the purpose would be served. My own feeling is that it is almost impossible from the point of view of Parliamentary draftsmanship to so formulate your law that it will attain the purpose of eliminating all causes of disturbing public tranquillity or of provoking religious or linguistic passions and will at the same time achieve the purpose of national integration that we have in view. Any legislation that may be framed even by a Select Committee or even by a group of first-class lawyers will suffer from several infirmities. It might be either too vague so that it is not implemented fully or it might be so strict that it might impinge upon the right of freedom of expression and violate your fundamental rights and might be struck down in the court of law.

This Bill, to my mind, is one of the most controversial Bills ever introduced. From the point of view of Parliamentary draftsmanship it is one

of the most difficult measures to draft. I would, therefore, appeal to the Government not to rush through legislation like this. Do not stand on prestige. I have not come across a single speech here barring that of Shri Kasliwal where full support to the Bill is given. Even their, the support was given with reservation. What is the use of pushing through a measure in the House in the teeth of all opposition, not only from our side but from the side of the ruling party also? I would appeal to the Government, while we fully support the principle underlying the Bill and are very keen on seeing that some way is paved for achieving the goal of national integration, let us examine the Bill more carefully by referring it to a Select Committee and by circulating it for eliciting public opinion. If even after that we feel that we can do no better than the existing section, I should say we shall have to content ourselves realising that what cannot be cured must be endured. Therefore I plead once again with the Government to have the Bill circulated and referred to a Select Committee.

Mr. Chairman: Shri Ganpat Sahai.

Shri Hynniewta (Autonomous Districts — Reserved — Sch. Tribes): Madam Chairman, may I make a submission? Throughout the day I have been following the debate with keen interest, but it is very sad to notice that none of the representatives of the minorities in India, specially of the Tribal people, has been given a chance to speak. I have been waiting patiently but my waiting has not yet been successful.

Mr. Chairman: He will be given a chance. Shri Ganpat Sahai.

Shri Ganpat Sahai (Sultanpur): Madam Chairman, I thank you heartily for giving me an opportunity to participate in the debate on the Indian Penal Code (Amendment) Bill. I am a newcomer to the House. I do not owe allegiance to any political party. I am an independent Member. Before this I tried twice to have an opportunity to participate in the debate in this House, but, unfortunately, I was not given any chance. Therefore I thank you again for giving me this chance for the first time.

I am in general agreement with the observations made and the views expressed by the hon. Minister in commending the Bill to the acceptance of this House. Nobody can deny that, of late, there has been widespread and vicious propaganda in the country giving rise to communal discord and to class disharmony among the people. It is necessary that in the interest of national integration and orderly and peaceful development of the people such vicious propaganda should be effectively stopped. It was, in order to meet a situation akin to the present prevailing in the country, that in the year 1898, the Indian Penal Code Amendment Bill was introduced and the new section 153-A was added to the Indian Penal Code. It is also common knowledge that the aid of this new section 153-A which was inserted in 1898, was frequently invoked to bring to book and penalise individuals or groups of individuals who promoted or attempted to promote feelings of hatred, feelings of enmity between different classes of the citizens of India. We have had that in the historic case of the great patriot Bal Gangadhar Tilak. One of the charges against him was under section 153-A of the Indian Penal Code. It was held by the Bombay High Court that section 153A was applicable to promotion of feelings of enmity and hatred between different classes of the citizens of India. It was a case of Indians and Britishers. Similarly, there are numerous cases in which this section was utilised for penalising and punishing promotion of feelings of enmity or hatred between different communities and even castes. If need be, I can cite cases of all the High Courts on this subject.

The aim of the present amendment is to put an effective stop to stop propagation of communal disharmony

[Shri Ganpat Sahai]

which is, unfortunately, the order of the day. But, the question is whether by this amendment, the objective with which this section is sought to be amended, will be attained at all. My submission is that the section, as it is proposed to be amended, will fall short of attaining that objective. My reasons are these. In the section, as it stands, the words are:

> "by words, either spoken or written, or by signs, or by visible representations, or otherwise, promotes or attempts to promote feelings of enmity or hatred between different classes of the citizens of India...."

By the proposed amendment, it is sought to introduce certain phrases:

> "on grounds of religion, race, language, caste or community or any other ground whatsoever, feelings of enmity or hatred between different religious, racial or language groups or castes or communities...."

A notable feature of this amendment is that it omits the phrase "classes of the citizens of India". I can cite instances in which it will be found that feelings of enmity and hatred are sought to be promoted not on grounds of religion, race, language, caste or community. It may be that these words "or any other ground whatsoever" may cover all other cases. But, the point is whether the phrase "feelings of enmity or hatred between different religious, racial or language groups or castes or communities" is sufficient to cover all cases. Take, for instance, election groups and election parties. We know it to our regret that at the time of election campaigns, different graups are formed, and different political parties are there, and sometimes, propaganda is made in this way, namely that such and such a candidate belongs to a particular party, that particular party connives at or encourages or countenances cow-slaughter, if you vote for that particular candidate, you will be committing a sinful act, you will be condemned to perdition and so on. This kind of propaganda certainly hurts the feelings of the other party, and it so much hurts them that they are prepared to fly at each other's throats.

How will this amended section cover that case? My submission is that it will not. The election parties do not fall within the definition of any of the groups particularised in the amending section. I am aware that a new section is sought to be added to the Representation of the People Act, by means of which even election parties and election groups can be brought to book. But the Representation of the People Act cannot cover all cases of election. It is expressly mentioned in that section that it is only in cases of election arising under that Act that the amended section which is sought to be introduced, namely section 25(12) would apply. But there are elections other than elections under the Representation of the People Act.

For example, there are elections to local bodies, and there are elections to the panchayats. How will the new section of the Representation of the People Act govern cases of elections to local bodies or to panchayats or to such other bodies?

Therefore, my submission is that the term 'different classes of citizens of India' was wide enough to cover religious, or racial groups or castes or communities. It may not be interpreted to comprise language groups. But, you may retain the phrase 'language groups' and add 'different classes of citizens of India'. That will make it more comprehensive, and that will make it all-embracing, and it will cover all cases of election campaigns, which indulge in promoting hatred and enmity between different classes of citizens of India.

Therefore, my submission is that the phrase 'different classes of the citizens

of India' should not be eliminated from that section.

Shri Hynniewta: At long last, I have been fortunate enough to be called to represent the views of the tribal people in the State of Assam. I have made two pilgrimages to the Chair, but two pilgrimages were not enough, and it required a little protest to obtain my right of being heard in this House.

I rise to oppose this Bill which I characterise as the blackest of all the Bills that have been moved in this House, and it is aimed especially at the minorities who have been suffering for the last fifteen years, since the attainment of Independence. That is not my surmise. It has been made clear by the Bill itself in the Statement of Objects and Reasons, which reads thus:

> "In order effectively to check fissiparous communal and separatist tendencies, whether based on grounds of religion, caste, language or community or any other ground, it is proposed to amend section 153A of the Indian Panal Code...".

I had the privilege to listen to the hon. Minister of State while he was moving for the acceptance of this Bill. I was thinking that we would also be privileged to hear the definition of the words "fissiparous" and "separatist". What is the meaning of these words? That is exactly what you want to check today—the growth of fissiparous and separatist tendencies. What is exactly meant by these terms? Separation from where, separation from the States, the present States in the Union, separation from the Union Territories, separation from the Union of India? What do you mean by these terms?

Except the Nagas, and some people in the South, nobody in this country has ever attempted or made any demand to separate from the Union of India. Elsewhere, there has not been any demand to separate from the country. What is meant here is, therefore, separation from the present States, and because we are not satisfied with the territorial composition of the present States, or because we are not happy with the present States in the country, we must be prevented from making any demand for separation.

There is no sanctity, no sacredness in the present number of State in India. There is no sacredness in the territorial composition of the States Therefore, it is my right as an Indian citizen, when I am not happy, when I feel that my language is being suppressed, and my identity is sought to be destroyed, it is my duty as an Indian, not only as a tribal, that I should seek for an administration which will be instrumental in maintaining my identity.

I am an Indian because I am a tribal. If I am not a tribal, I cannot be an Indian, just as a Bengali cannot be an Indian if you ask him to cease being a Bengali. This trite saying has become very stale to our ears: "Indian first and Indian last". I ask those people who indulge in such high-flown philosophies, what do they mean by this? Can they say to the river Jumna, because it flows to the Ganges, "Be the Ganges first and the Ganges last?" Or, can they say to the river Hooghly, "Be the Ganges first and the Ganges last?" This is a meaningless saying, and I hope this humble and backward tribal will deal a deathblow to such trite sayings.

As I have been saying, I am an Indian because I am a tribal. Therefore, my identity is sacred to me, just as my being an Indian is equally sacred. Therefore, if by remaninig in the State of Assam this identity is sought to be destroyed, or the language which I hold so dear, dear as life itself, is sought to be destroyed, I have the democratic right, the fundamental right to agitate for separation from Assam.

[Shri Hynniewta]

What is happening in Assam today? I will first invite the attention of the House to what was happening when the Cabinet Mission came to India, prior to the attainment of independence. They made a plant, a group plan or whatever it might be called. In that plan, it was proposed that Assam should be joined with Bengal and formed into one group. The Assamese speaking leaders of Assam said that they would prefer to become independent and leave India then to be joined with Bengal. These very people today are sitting at the helm of affairs in the State of Assam and condemn our demand for a separate State as fissiparous and separatist. You are not only not condemning their action but you want also to give them an instrument to strengthen their hands; to silence our voice. Who will benefit from this Bill? It will be the State Governments. It will not be the Centre. It will be the State Governments which are anxious to maintain the *status quo*—the State Government of Assam who want to silence the voice of opposition of the tribal people, from being assimilated into the Assamese community. There is no secret. They have made it quite clear. As a matter of fact, that was the guiding factor why Sylhet was given away to Pakistan so that Assam could be the property of the Assamese-speaking people. No less a person than Shri Bardolai, the Chief Minister of Assam in 1947 said that Assam was for the Assamese. By Assamese he meant the whole territorial composition of the then province of Assam, and by Assamese, he said, he meant the people whose mother tongue was Assamese. There is no room for me whose mother tongue is not Assamese. If I want to remain in Assam I must allow myself to be assimilated into the Assamese community; I must learn Assamese. Otherwise, there is no place for me in Assam.

I am very happy that at the fag end of the day when this backward Member has been at last given a chance to speak, and of us have been privileged to have the presence of the hon. Home Minister here. The hon. Home Minister went to Assam in order to resolve the language impasse in the State. We thought that in keeping with the assurances and the promises given by our Prime Minister and other Ministers, and we had dared to hope that at the intervention of a very energetic statesman like the present Home Minister, we shall be freed from the cultches of those maniacs who want to Assamise us. Unfortunately, the Home Minister, on the 6th June, 1961 made a statement which I consider very very unfortunate. I hope it is not final. I hope he will consider the needs of the Tribal people in the eastern frontier who are appealing to him, to this House and to the country outside, to save them from the clutches of those people and from the danger of annihilation.

The Home Minister said in his statement "Every State will have its official language. It should be the duty of all the people of that State, whatever their mother tongue may be, to accept it sincerely and try to learn it quivkly." The Prime Minister said on the other hand in our meeting with him at Delhi on the 24th November, 1960 that he agreed that the hill people should not suffer in any way on account of the Assemese language being made the official language of the State. At a subsequent interview, on the 17th of May, 1961, which is the latest, he said that it was for the hill people to decide what language will be used at the district level or for the hill areas.

Mr. Chairman: The hon. Member's time is up.

Shri Hynniewta: I hardly take the time of this House and since this is a matter which concerns the very existence of the tribal people, I crave your indulgence to give me a little more time.

Shri Naushir Bharucha: You are already guilty under the new Bill.

Mr. Chairman: I would request him to finish in two or three minutes.

Shri Hynniewta: One useful purpose which is being served by having been given a chance to speak is show to this House that everything is not all right in the State of Assam. I feel that this Bill, as I said in the beginning, is the blackest of all Bills that had been brought before the House. It is unnecessary. There are a number of black Laws already in the statute book and we need not add this. This morning we heard the Home Minister making a statement in the House that because Sant Fateh Singh and Master Tara Singh were making pro-Punjabi Suba slogans or making some speeches in support of Punjabi Subha they were be arrested. The arrest warrants could be issued without this Bill being there. Such a position has been created in the Punjab. The practice requires extension to other areas only; it is not necessary that this Bill should be accepted by this House. It is essential only in one respect from the point of those people who want to suppress us; they want to show that the whole country is behind them in suppressing us. That is the only useful purpose that can be served by this Bill. Otherwise, the existing laws are enough—to supuress our democratic rights.

Here, I will make a short reference to the contents of the Bill. It says that whoever commits an act that is prejudicial to the maintenance of harmony between the different religious, racial, or language groups and so on will be punished? What is the implication of these words? Now, suppose a Bengali says: "Look, your women have been dishonoured in Assam and 50,000 houses have been razed to the ground". If he goes and tells the Bengali people of Bengal and Cachar, what will be the reaction? The reaction among the noblest will be pity, pity for the criminal. But for the general run of population, it will be otherwise; there will be a cry for vengeance. That man's motive may not be to rouse the people of Bengal or of any area to do anything violent or injurious. But if any goonda element creates, trouble as a result of that information, who will be punished? Not the goonda. Not the goondas, but that honest person who comes and tells the bare facts, the simple truth, to the people—he will be penalised under the provisions of this Bill. Therefore, I feel that if we are true to what we have been saying, namely, that our country is a democratic country, that our Constitution is a democratic Constitution, there is no room for such a Bill in a democratic country.

One of the golden tenets of democracy is this: "I do not agree with what you said, but I will defend to the very last your right to say it." But, according to the Bill, that democratic rule will have to be amended in this way, that is, "I do not agree with what you said, and I will deny your right to say it I will also punish you if you say it!" That is the principle behind this Bill. Can anyone who believes in democracy be a party to the passage of this Bill? I put that question to this House and the country.

So, if you do not want to distintegrate our country, you should not attempt to create unity by forbidding me to have my say. You cannot create unity by denying me the right to ventilate my grievances. The effect of this Bill will be disunity, and the purpose for which it is brought in will be defeated.

I would conclude my speech with a saying by Edmund Burke whose wise advice and warning had not been heeded to by the British people, and because of that, America came outside the sphere of the British Empire, and consequently today, the United Kingdom is only a second class or a third class power. Therefore, I would

[Shri Hynniewta]

sound a note of warning in this House by quoting his words:

> "The history of persecution is a history of endeavours to cheat Nature, to make water run uphill, to twist a rope of sand. It makes no difference whether the actors be many or one, a tyrant or a mob."

Mr. Chairman: Shri D. C. Sharma.

Dr. M. S. Aney (Nagpur): I rise to a point of order. I should like to know whether it is the convention now that any Member of the House who has not sent in his name to the Speaker, in writing, saying that "I am intending to speak", has no chance of speaking at all. I have been standing not only after the first or the second speaker, but after every speaker. I have been standing and then sitting down. It is true that I have not sent in my name in writing. If this is the convention, I shall abide by it. I do not want to depart from that convention.

Mr. Chairman: I assure the hon. Member that it was not intentionally that he has been missed. I am sorry I did not see him. I have not been in the Chair very long today. I was looking at the list in front of me, and I did not see the hon. Member rise. Otherwise, I would have surely called him. Shri D. C. Sharma.

Shri D. C. Sharma: If any justification was needed for bringing forward a Bill like this, I think that has been provided in sufficient quantity by the hon. Member who preceded me. I feel that the speech which the hon. Member from Assam made is a very, very unfortunate speech. It shows to what extent a person can go who does not understand fully the concept of democracy and how democracy has to be worked. I think the hon. Member said that this Bill was black or something like that. Perhaps it is black to his eyes. (*Interruptions*).

I would submit very respectfully that democracy like every human institution, like every human organ of execution, like every human instrument, breeds certain disorders. Nothing is perfect in human life or in this world and I believe that this Bill has been devised to put an end to those disorders and snags which the nascent democracy in my country has bred. I feel Government has done very well in bringing this Bill which can restore my country to civic health, to political health and to democratic soundness.

I feel this Bill is going to be a kind of insurance against all those ills from which we have been suffering for the last 15 years. If there is one thing for which I would like to take the Government to task, it is this that this Bill has come rather late. We have been waiting too long

16.52 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

We have seen that the disease has been growing in intensity and acuteness and yet, we have been thinking that the disease might run its own course and come to an end. But the disease has not come to any end and therefore this Bill has been brought.

Who says that the Government of India stands in the way of the tribal people having their own way of life? I feel the Prime Minister of India has made so many statements on the subject that the tribal people should be allowed to....

Shri Hynniewta: I never said that the Prime Minister said the tribal people should not have their own way of life. (*Interruptions*).

Mr. Deputy-Speaker: Order, order.

Shri D. C. Sharma: Who says that the tribal people should not have their own languages? In NEFA and other areas, we are giving every kind of encouragement for the development of languages.

Shri Amjad Ali (Dhubri): Do you know what is the language of NEFA?

Shri D. C. Sharma: You do not know the language of my country.

I was respectfully submitting that our Prime Minister and the other Ministers have been saying that they do not want to interfere with the ways of life of anybody and they do not want to interfere with the development of any language, and not even of any dialect. In spite of this, it does not behove anybody to say that this Bill has been brought to curb those people who want to develop their languages or follow their way of life. I think this Bill is brought only so that these things would not be made instruments of political subversion in my country.

Somebody said that this Bill has been brought because the Congress Party is on the eve of the elections and it is afraid of not winning the elections. I may submit very respectfully that the Congress Party does not win elections on the score of creating language troubles. We win our elections because we give the picture of the kind of welfare State we are building. We win our elections on the strength of the Plans we put forward. It is these Plans which bring us votes and not these controversies. I think these controversies are meant for those who differ from the Congress Party and who want to fish in troubled waters. We do not make such speeches on the public platform when we are fighting our elections. I have fought two elections, and I know we have never made any speeches which are smacking of these controversies.

So I think, Sir, that all the speeches which have been made so far as this Bill is concerned have been made in such a way that they have missed the real purpose. I put one question, and it is this. Do we not want the unity of India? Do we not want India to grow from strength to strength? Do we not want that India should be one homogeneous country with uniformity of aims and purposes? I think every one of us, every hon. Member here wants that, and in order that we should set our nation along those lines we have brought forward this Bill whereby we want to eradicate the ills that we have. You have the malaria eradication programme in the Health Ministry. Why do you want to eradicate malaria? You have some other programme to do away with some other disease. Who denies that these controversies show some kind of rottenness in our civil and civic life, and if any Bill is brought forward to do away with the symptoms of that disease I think nobody should have any grouse against it.

Sir, I come from the State of Punjab. Punjab has been discussed very much here. I do not want to talk of Punjab as it exists today. I talk of the Punjab as it was before the partition or before India was divided or before India became free. All those ills to which reference has been made were prevalent in Punjab. At that time there were people who wanted to divide the country on the basis of religion. The Hindus fought with Muslims, Muslims fought with Sikhs, Sikhs fought with Christians. There was a lot of fighting going on about religion in the so-called united Punjab. There were some persons who said that they did not belong to one race and that they were divided racially also. There were persons who were trying to create trouble on the basis of language. There were persons who were trying to create trouble on account of caste and community. Punjab at that time was an arena for all kinds of controversy that find a mention in this Bill. What was the result? The result was that a prosperous Punjab, a united Punjab, a homogeneous Punjab came to be divided into two Punjabs. Now you find that we have in some way got a handg-over of all those troubles which we used to have in the united Punjab.

[Shri D. C. Sharma]

Therefore, we need not go very far to find that these things have brought about disorder in the country, that they mean ill-health in the case of any country. As such, nobody should object to a Bill like this. It has been stated that it should be circulated for public opinion. I have seen in this House two kinds of legislation. There are some which are in advance of public opinion and there are others which follow the public opinion. If there is one piece of legislation which reflects public opinion, the prevalling public opinion in the country, I think it is this Bill. You can ask anybody whether he feels happy because there is the language controversy. Nobody feels happy with this kind of controversy. Therefore, this Bill has been brought forward. I think it reflects the general consensus of opinion that revails in this country and it does not go as far as some people want it to go.

17 hrs.

Here are some of my hon. friends who say all these communal parties should be banned. I would be the first person to say that all communal parties should be banned, because there are people and parties who speak with not one voice but two, there or four voices. Those parties should be banned. But the Government in its wisdom thinks that the time is not yet ripe for doing this. All the same, I do not think that a day will come for bringing to an end all these ills from which our nascent democracy is suffering.

It has been stated that the provisions of this Bill already exist in other statutes and, therefore, there is no need to bring this amending Bill. The treasury benches may already have many arrows in their possession; but that does not prevent them from bringing in new arrows. There are times when certain things have to be pin pointed and high-lighted and I think this is time when this thing has got to be made known to the people at large.

What is happening in my country? My hon. friend referred to Assam. Why should we talk about Assam or Bengal or Madras? I do not know the details of happenings in other States and so I will not refer to them. But I generalise from the experience in my own State. I say that this Bill, when passed, would restore normalcy in my State, because I know what is happening there. Language is not a weapon. It is not a political weapon. But I know what disastrous use people are putting it to by making it a political weapon. And what is the meaning of the word religion? As the hon. Minister has stated, it is something which binds. But religion has become a school of separatism. When all these things are there, if the Government wants to bring these things back to the normal connotation, to the normal meaning, I think Government is not doing something which is very unwise or which is very inexpedient.

It has been stated that the change from two years to three years is not enough. It may be so. I do believe that desparate diseases require desparate remedies. So, perhaps it is not enough when we enhance the punishment only by one year. But all I can say is that it should be tight. We have to see how far it works. Everything will depend upon how this Bill is implemented, how the provisions of this Bill are going to be put into effect and how this Bill will be made use of by the Central Government and by the States, of which the Indian Union consists. That is the real crux of the problem.

I agree with those persons who do not want that anything should be done to misuse this Bill, and I would be the first person to raise my voice if anybody misuses this Bill for party ends or for personal ends or for any other kind of ends. I would be the first person to raise my voice against that. But I would say that no useful purpose is served if you only go on

passing this Bill and try to make yourself obnoxious in the eyes of the hon. Members of this House or elsewhere. The question is: are we going to implement this Bill in all sincerity? Are we going to put into effect this Bill so that the unity of India is not threatened and it remains in tact?

That is the biggest problem now. I know the Education Ministry has now got hold of a committee which is studying this problem. The Congress is studying that problem.

Shri S. L. Saksena (Maharajganj): It is already five o'clock.

Mr. Deputy-Speaker: I am aware of that.

Shri D. C. Sharma: All these things are done. They are good. But I would say that all those are educative measures. All those are measures meant to persuade the people to stand by national integration. They are very good measures. But I believe you cannot educate people into these things in a day or so. You have got to have recourse to other measures also. They are administrative measures. I am glad that this administrative measure has been brought at this time because I know that this measure will go a long way in putting fear in the mind of those persons who want to sabotage national unity, who want to act as destructive forces in the country and who want to create trouble in the country on account of all these things. I am sure this is going to do that.

Mr. Deputy-Speaker: We will have the reply of the hon. Minister tomorrow. Dr. Aney perhaps wanted to say a few words. He can have a chance tomorrow in the beginning. Now we have to take up the other business which we had to start at five o'clock. We are already late by five minutes.

श्री रामसेवक यादव (बाराबंकी): उपाध्यक्ष महोदय, हम लोगों का भी ध्यान रखा जाय।

17.07 hrs.

MOTIONS *RE.* FLOOD SITUATION—*Contd.*

Mr. Deputy-Speaker: The House will now take up further consideration of the following motions moved by Shri Narayan Ganesh Goray and Shri Chintamoni Panigrahi respectively on the 28th August, 1961, namely:—

(i) "That the statement on the flood situation in the country laid by the Minister of Irrigation and Power on the Table of the House on the 7th August, 1961, be taken into consideration."

(ii) "That in view of the experience gained from floods of 1959, 1960 and 1961, the floods controlling capacity of the Hirakud Dam be taken into consideration with a view to take necessary flood-control measures in the Third Five Year Plan to control floods in Mahanadi."

How long would the House like to sit today?

Shri S. L. Saksena (Maharajganj): Two hours.

Mr. Deputy-Speaker: Two hours from now would mean we will sit up to 7 o'clock. Then there is a half-an-hour discussion.

Shri S. L. Saksena: Yes, Sir.

Mr. Deputy-Speaker: That is good But I do not think there is any hon. Member on the Panel of Chairmen present.

An Hon. Member: We will have a new panel.

Shri Chintamoni Panigrahi (Puri): Mr. Deputy-Speaker, Sir, it is quite significant that in the first year of the Third Plan floods have been most widespread in the country. They have covered Kerala, Orissa, Madras,

[Shri Chintamoni Panigrahi]

Mysore, U.P., Maharashtra and some other States also.

An hon. Member: Delhi also.

Shri Chintamoni Panigrahi: Yes, Delhi also. The damage to crops and property as also to lives is no less. According to reports which have so far been published, in Madras alone the loss has been estimated to be more than Rs. 1 crores in one district, that is, Tanjore, which has very seriously been affected. In Kerala nearly 100 people have been damaged. There has been similar loss in Delhi, UP and other places. Recently, the State Government of Orissa announced that according to a preliminary report nearly 7,50,000 people have been affected by the recent floods, more than 1,875 villages have been affected and 3,400 houses have collapsed. In the three districts of Sambalpur, Cuttack and Puri crops in more than six lakh acres of land have been damaged. This is really significant after all these years of planning and controlling of floods in the country.

It is an irony of fate that in the first year of the Third Plan, floods have been most widespread covering nearly seven to eight States out of the 14 States. States which were never affected by floods have also been affected this year by severe floods. It is time now that the Government, more especially the Ministry of Irrigation and Power should decide as to whether all these measures that they have adopted during all these years with the expert advice and the measures adopted by the State Governments were sufficient to meet the situation and solve the flood problem in this country.

The hon. Minister has stated in the statement:

> "The frequency of floods in the country and the resultant damage and misery caused from time to time have, once again, higlighted the need for our considering the efficacy and the adequacy of the measures that have been adopted hitherto or are in the process of execution in the States. The matter has received the earnest consideration of my Ministry. While immediate and short-term measures, already adopted, have no doubt gone a long way to help, the long-term measures will naturally take time to produce results."

In this connection, I would like to draw the attention of the hon. Minister to the 10th meeting of the Central Flood Control Board. In that meeting itself, it has been stated that whatever important measures were suggested by way of long-term planning for flood control, almost all the State Governments have not come forward with their long-term planning. Naturally, no long-term measures for flood control have been adopted in any of the States.

From the statement and also from reviewing the present situation, one important question arises. Have the Central Government and the State Governments taken really serious steps and executed well thought out and coordinated long term control measures with a view to deal with the situation most effectively during all these years? Whenever we come across any publications from the Irrigation and Power Ministry on the question of flood control in the different States, we will find that whatever measures have been taken in the different States, they have been executed in the most haphazard manner. If we go through the publications of the State Governments also, you will find that during the last 10 to 15 years, whatever measures have been adopted, they have been adopted only to meet the situation when it arises, then and there, without any view to solve this problm in a long term manner. Whatever publications are available from the State Governments will bear witness to this observation.

problem in a long term manner. Whatever publications are available from the State Governments will bear witness to this observation.

I wish to draw the attention of the hon. Minister to the proceedings of the 10th meeting of the Central Flood Control Board, which was held in 1960. The Board noted that so far, none of the States have prepared master plans for flood control, drainage and anti-waterlogging. When the State Governments were asked to prepare master plans for flood control measures, why is it that even as late as 1960, in the 10th meeting of the Central Flood Control Board, it had to take note of the fact that none of the State Governments has come forward with long term planning for flood control? My feeling is that somehow or other the Government has come to think that there are no means for controlling floods effectively. I was going through one of the publications supplied recently to us. It has been stated there also that floods cannot be effectively met at all times and at all places. Therefore, my feeling is that graduatly, perhaps, the Ministry has come to feel that floods cannot be controlled effectively and therefore, whatever measures State Governments are carrying, let them carry out. It is perhaps with this view that the State Governments have carried out all these measures in a haphazard manner in their respective regions.

A most interesting observation in one of the publications that they have issued, *Flood Control in India* is this. What are the flood-affected States in the country? In India, the States subject to recurring floods are Andhra Pradesh, Assam, Bihar, Jammu and Kashmir, Punjab and West Bengal. Any one in the Central Irrigation and Power Ministry knows that Orissa, for the last 100 years, is one of the States which is subject to recurring floods every year. Here is a publication by the Ministry itself—authorised publication. In that publication, among the flood-affected States, Orissa is not included. Perhaps, they thought that after the construction of the Hirakud Dam, the flood problem of Orissa had been completely solved. Otherwise, they could not have made such an omission in a publication by the Central Ministry of Irrigation and Power and the Central Water and Power Commission itself. My submission is that none of the major recommendations made by the Flood Control Board has been carried out so far.

So, I would like to get answers on all these four points from the hon. Minister. There was an important recommendation that there must be effective soil conservation measures. The other day, the hon. Minister said that Government were looking into this matter. But I would like to know from the hon. Minister how many acres of land have been brought under effective soil conservation measures in all the States during the last ten years.

Secondly, the Flood Control Board had suggested that intensive land management programmes should be taken up by the State Governments in the catchment areas of the rivers to check the run-off. I would like to know which of the State Governments have taken recourse to this intensive land management programme in their areas. In fact, the Flood Control Board suggested that in order to have effective soil conservation measures, a separate wing should be formed in all the States. I would like to know how many State Governments have formed such separate wings to carry out effective soil conservation measures. We would like to know these important things, so that we can assess really whether Government have gone into this question very seriously during the last ten to eleven years.

There was another recommendation in regard to the setting up of a network of flood-warning stations. We

[Shri Chintamoni Panigrahi]

would like to know how many flood-warning stations had been set up in the different States and in Mahanadi basin to help the State Governments and the different authorities to get accurate information with regard to floods.

Fourthly, there was another important recommendation that metereological offices with very modern scientific equipment should be established. Recently, when there was flood in the Mahanadi, and there was continuous rain from 1st of July to 7th July, the authorities of the Hirakud Dam could not get timely and accurate information with regard to the rains in the catchment areas on the upper reaches of the Mahanadi and in the lower portions. They could not get accurate information from any other source, and they had to get this information from the Calcutta Meteorolgical Office. Is it proper or desirable that the Hirakud Dam authorities who have been given the charge of controlling such a great reservoir should get the information from the Calcutta Meteorological Office, and there should be no meteorological office near the catchment area or at the Hirakud itself? After all, the authorities must know the cloud movements, and at what rate the rains are going to pour. But the Hirakud authorities were completely in the dark and they had to get all the information from the Calcutta office, which was always late, and hence, naturally, it could not help them to regulate the reservoir. That was one of the greatest difficulties in regulating the reservoir.

It was raining continuously from the 1st or 2nd of July; the rains were continuously pouring down, but the level of the Hirakud reservoir was kept at more than 617 feet. The hon. Minister has said that the level was kept at a little more than 610 feet. But I say with confidence —and whatever information I have got is more correct than what the hon. Minister has got—that the reservoir level was kept at 617 feet. I would like to know why it was so.

The Deputy Minister of Irrigation and Power (Shri Hathi): Is that not more than 610 feet?

Shrimati Parvathi Krishnan (Coimbatore): He says that it is very much more than 610 feet.

Shri Chintamoni Panigrahi: It was 617 feet, and I say so because the chairman of the Flood Enquiry Committee, in whom the hon. Minister has got confidence, has stated there in Orissa that the reservior level at Hirakud was kept at 617 feet in the first week of July. Why was it so? That matter must be gone into. It is not a question where the hon. Minister should contradict me here in this House. It is a matter where the whole fate of the people of Orissa hangs upon this reservoir; if that is damaged, then the entire people of Orissa are going to suffer. There is a definite working table laid out that in the first week of July, the level of the reservoir should be kept at 590'. Why is it then that it went up to 610' and 617'? Here is a point which should be gone into at length and enquired into thoroughly, so that in future such things may not occur. Let not the hon. Minister think that I am accusing him. My point is that it should be enquired into as to why the reservior was kept at such a high level.

Mr. Deputy-Speaker: When should I ring the bell?

Shri Chintamoni Panigrahi: Two or three minutes more.

Mr. Deputy-Speaker: All right.

Shri Chintamoni Panigrahi: Or you may give me five minutes more.

Mr. Deputy-Speaker: No second thoughts now.

Shri Chintamoni Panigrahi: I have sponsored the resolution.

Mr. Deputy-Speaker: Therefore I am giving him the time.

Shri Chintamoni Panigrahi: I have not taken 20 minutes.

Mr. Deputy-Speaker: I did not say it. Why should he believe it?

Shri Chintamoni Panigrahi: The hon. Minister himself has stated in his statement that there is a general impression that our dams which were intended to store waters not only for irrigation and generation of power but also to absorb some flood waters have not got adequate cushion to absorb such water. I am glad he has come forward with this statement.

The Hirakud reservoir itself was a multi-purpose project, and, as you know, it was meant to provide relief to the flood-affected people in the delta region. When the Hirakud dam was constructed, it was laid down that a cushion of 40' would be there, so that at the highest peak floods, the reservoir would contain at least 40' of flood water, but now it has been reduced almost to 20', and in the first week of July, 1961 it was further reduced to only 13'. Therefore, it was very difficult for the authorities there to reserve more flood water, so that the people in the delta area could be secured against high floods. I think therefore this question also must be gone into.

Lastly, I would submit some proposals for the consideration of the hon. Minister, because he wanted some constructive suggestions to be made. I think all the suggestions that I have made are constructive.

The Flood Enquiry Committee set up by the Government of Orissa has submitted its report. It submitted an interim report, and one of the Members of the Central Water and Power Commission of the Government of India is also a member there. Photographs appeared in the newspapers in Orissa showing the Chairman of the Orissa Flood Enquiry Committee submitting the report to the Chief Minister. When we asked here, the hon. Minister said they had not received it. How is it? This House, Members of Parliament, must get a copy of this report. The suggestions made in the interim report also should be taken into consideration by the Government.

The hon. Minister has referred to the construction of another dam at Tikarpara, which it is estimated will cost Rs. 200 crores. Some effort should be made in the Third Plan in regard to this, so that it may be completed at least towards the end of the Fourth Plan, because it is one of the biggest projects and will take quite a long time. The hon. Minister has hinted that it must be taken up, that they are going to enquire into it. That is good. But efforts should be made to see that at least this 40' flood cushion provided in the Hirakud reservoir is retained so that we get the maximum use of the reservoir over which we have spent Rs. 100 crores.

The flood escapes of Dhanua, Kadua, Prachi and Kusabhadra and the branch channels have all been silted up. There must be escapes; they must be cut open so that the flood water can go into the sea quickly. Now, after the construction of the Hirakud dam, the flood waters take 15 or 20 days to flow into the sea. The Daltola cut proposal should be abondoned.

All these points should be taken into consideration. The Dhanua, Kadua, Prachi and Kusabhadra channels should be excavated; the Chilka Lake should be deepened, and there should be co-ordinated planning to control the floods in the four major rivers in Orissa, namely Mahanadi, Brahmani, Baitarrni and Subarnarekha.

Mr. Deputy-Speaker: Shri Basappa. Now, no hon. Member shall take more than 10 minutes. (*Interruptions*). The half-an-hour discussion has been postponed to the 6th.

Shri Basappa (Tiptur): Mr. Deputy-Speaker, Sir, when my hon. friend, Shri Panigrahi felt so very strongly about the floods in his State, I have equally to impress upon this House the havoc that has been caused by the floods in my State of Mysore, in recent years.

I have seen the publication that has been given to us by the C.W.P.C. and also the recent statement of the hon. Minister on the flood situation in the country, and I notice that serious notice has not been taken of the flood situation in the Mysore State also.

I have got here a pamphlet in which Shri Kadidal Nanjappa, the Minister ofr Revenue in the Mysore State, addressing the Assembly has stated that—

> "It has been our unfortunate lot in this State during the last few years to face flood havocs during some months of the year and tackle scarcity conditions during the remaining months."

So, the Government of Mysore has been telling the Central Government that the flood situation has been growing acute in the Mysore State for the last so many years. But, still, unfortunately, the Central Government has not taken serious note of it. Just as my hon. friend Shri Panigrahi complained, I have also to make the same complaint.

Mr. Deputy-Speaker: If all the States have equal complaints against the Ministry, then, really, there is no complaint.

Shri Basappa: What I want to say is that it must also find an equal place.

In India the States which are subject to recurring floods are Andhra Pradesh, Assam, Bihar, Jammu and Kashmir, Bengal and Uttar Pradesh. There are other States also which are not normally subjected to heavy floods and which have been affected. Speaking of floods I say that the Minister should have brought in Mysore also.

Let alone the pamphlet. In the recent statement which he has made, he has stated:

> "It will be seen that the damage caused has been widespread and heavy and praticularly so, in the States of Kerala, Madras and Poona City in Maharasthra."

Here also he omits Mysore.

I want to give some idea of the havoc that has been caused by the floods in several parts of the Mysore State. Here is a Minister, who, representing to the Mysore Assembly, has been going on saying—

> "The damage to public properties like bridges, roads, irrigation works and buildings etc., is estimated to be about three crores of rupees."

He has given the names of several districts, North Kanara, Dharwar, Bijapur, Shimoga, Belgaum and others. Mysore has got 18 districts and out of them nearly 14 districts are affected. Look at the amount of suffering that has been caused by the rivers Hemavati and Kaveri and Kali and Tungabhadra. Even in the little river of Kali the floods have been so that great havoc has been done. And, nothing has been mentioned here. So, the impression goes round that the Centre is not seriously considering the flood situation in the State of Mysore. It is necessary that this impression should disappear and the Minister must estimate correctly the havoc done and the amount of relief to be given to that State in the light of what I have been stating now.

The resources at the command of the State are very little and quick relief measure have to be taken. I know the havoc that has been done to Poona. Let them give Rs. 3 crores or

even more. I have no grudge against it. They should at the same time mention in the statement itself the grant or loan they would give to the various States. Details of the havoc done in various parts of India have not been given; an up-to-date statement of the havoc and the suffering that had been caused must be given by the Minister.

I must pay glowing tribute to the Army which came to our assistance in controlling the floods by constructing a bailey bridge when the bridge in Hemavati gave way. Again, when Krishna was in floods the aid of the Air Force was sought to rescue marooned people and airdrop food supply to some of them. One Siddappa was to be rescued by the Swimmers risking their lives; but for the Air Force he would not have survived; he was without food for six or seven days. The floods have been submerging land in Chickmagalur district and the communication was cut off. I wish the Minister takes note of it. It brought to the attention of the Prime Minister when he was in Mysore. There is a ray hope as the wet cycle that has been passing through India will go away very soon and we may not have so much of severity by the floods. Anyhow, a proper assessment of the situation must be made and remedial measures taken.

The damage caused every year is estimated at Rs. 100 crores and it will show the magnitude of the problem. At the end they seem to say that they have tackled this problem and it has been reduced to one-fourth of that figure. This impression should not go round; the damage is still considerable and effective measures should be undertaken. I sympathise with the Ministers who say that they have limited resources but the gravity of the problem must be understood and tackled.

There is one other important matter which affects my State. The flood control measures have not been undertaken because of the disputes between Mysore and Madras, and Mysore and Andhra. This House is very familiar with these kinds of disputes. The Madras Finance Minister Mr. C. Subramaniam has referred to this only very recently and unless these disputes are settled quickly these floods will recur and things will not be safe.

It looks as if during the Second Plan a provision of Rs. 60 crores was orginally made in the Central sector for flood control measures whereas in the Third Plan they seem to form part of the State sector; there seems to be a little shift. It gives this impression as Shri Panigrahi said. The Centre is trying to shirk a little its responsibility; it should not be done. The responsibility should be shared equally by the Centre and the States. In a matter like this the responsibility of the Centre is of greater importance.

With regard to the floods from the Panchet Dam and the Khadakvasla dam, we were given to understand that warnings could have been given at earlier stages. Then, in the construction of the dam, they could have so arranged as to put gates which could be opened.

But I understand that though the lifts were there they could not lift the doors. That means water could not pass through. I want to know why this was so. Who are responsible for this? When a dam is constructed, the walls or lifts must be such that they could be kept open when the floods are more. I am told this was not the case. They must have been in a hurry, and some engineers, in order to take credit, must have done something. The Government must be very careful in seeing that the floodwaters are let off, and they must see that care is taken in the construction of these dams.

Mr. Deputy-Speaker: Ch. Ranbir Singh. If every hon. Member takes not morethan ten minutes each, I will be able to accommodate all those who desire to speak.

चौ० रणवीर सिंह (रोहतक): उपाध्यक्ष महोदय, तीसरी पंचसाला योजना के अन्दर ६६१ करोड़ रुपया सिंचाई विभाग के लिये मिनिस्ट्री आफ इरीगेशन एंड पावर के लिए रखा गया है जिसमें से सिर्फ ६१ करोड़ रुपया लैंड कंट्रोल और वाटर लागिंग के लिए है।

आप जानते हैं कि पंजाब के अन्दर पिछले दस बारह सालों के अन्दर २०० करोड़ रुपया नहरों के ऊपर और बिजली के ऊपर खर्च हुआ है और उसके जरिए ६० लाख एकड़ जमीन सिंचाई के नीचे आयी। लेकिन उसी के साथ पिछले १०-१२ साल में पंजाब के अन्दर वाटरलागिंग के नीचे तीस लाख एकड़ भूमि आ गयी। उसके इन्तिजाम के लिए सौ दो सौ करोड़ रुपया नहीं चाहिए, ५०-६० करोड़ रुपए से उसको ठीक किया जा सकता है। लेकिन मेरी समझ में नहीं आता कि यह प्लानिंग कैसा है कि उसके लिए यह रुपया नहीं दिया जाता। आप भाखरा डैम से तीस लाख एकड़ जमीन की सिंचाई करने के लिए सौ करोड़ रुपया खर्च कर रहे हैं और उस पर १४ साल से काम लगा हुआ है और अभी उसमें और भी समय लगेगा तब कहीं उसका पूरा फायदा मिलेगा। लेकिन यहां तो केवल ५०-६० करोड़ रुपए में उतना ही फायदा हो सकता है और उसका फायदा आपको दूसरे साल में ही मिलने लगेगा। लेकिन इसके लिए रुपया नहीं रखा गया। मेरा ख्याल है कि जो ६१ करोड़ रुपया इस काम के लिए रखा गया है उसको बढ़ाना चाहिए और पंजाब को ज्यादा से ज्यादा रुपया मिलना चाहिए ताकि उसके वाटर लाग्ड एरिया का इन्तिजाम हो सके और उस एरिया में फिर पहले जैसी पैदावार होने लगे।

पिछले साल भी मेरे जिले रोहतक शहर में बाढ़ आयी थी लेकिन उस वक्त मेरा पैर टूटा हुआ था और मैं अस्पताल में था। और यह बाढ़ ड्रेन नम्बर ८ की वजह से आयी थी।

उपाध्यक्ष महोदय: शुक्र कीजिए कि आप उस वक्त अस्पताल में थे।

चौ० रणवीर सिंह: मैं नहीं जानता कि अस्पताल में होने के लिए मुझे ईश्वर का शुक्र करना चाहिए।

उपाध्यक्ष महोदय: फ्लड का असर इस वजह से आप पर नहीं पड़ा।

चौ० रणवीर सिंह: बाढ़ का असर तो मेरे चुनाव क्षेत्र के ऊपर पड़ना ही था। लेकिन मुझे खुशी है कि पंजाब की सरकार ने और हिन्दुस्तान की सरकार ने बाढ़ग्रस्त लोगों की ज्यादा से ज्यादा इमदाद की और मेरे हलाके के ऊपर डेढ़ करोड़ के करीब रुपया खर्च किया गया बाढ़ग्रस्त लोगों को इमदाद देने में।

मैं आपसे निवेदन करूं कि ड्रेन नम्बर ८ के मसले को हमेशा के लिए हल करने के लिए पंजाब की सरकार ने एक करोड़ रुपया निकाला और वह उस स्कीम को तेजी के साथ पूरा करना चाहते थे लेकिन बदकिस्मती है रोहतक की और दिल्ली के देहात की कि वह काम पूरा न हो सका और और रोहतक के २८६ गांवों में और दिल्ली के ६० गांवों में ड्रेन नम्बर ८ और ६ के पानी के कारण बाढ़ आ गयी। और यह बाढ़ केवल इसलिए आयी कि दिल्ली के कई नेताओं ने पंजाब की सरकार को काम नहीं करने दिया। पंजाब सरकार इस ड्रेन को जमुना में मिलाना चाहती थी और इसके लिए वे लोग प्राइम मिनिस्टर साहब से मिले थे। वह बहुत अच्छे इन्सान हैं और किसी आदमी की चोट से उनका दिल तड़प उठता है। तो उन्होंने समझा कि इस बात को देखा जाए। लेकिन दिल्ली के लोक सभा के सदस्यों ने पंजाब सरकार को काम नहीं करने दिया और आज फिर इस इलाके में बाढ़ आयी है और रोहतक जिले में काफी से ज्यादा नुक्सान हुआ है। मुझे दुख के साथ कहना पड़ता है कि उन दोस्तों ने, जो दिल्ली में भारत सेवक समाज के कार-मुख्तार हैं, ड्रेन का गहरा, डीपन, करने और नजफ़गढ़ झील के पानी को जमना के साथ जोड़ने का ठेका लिया, लेकिन वे उस काम को नहीं कर पाये और न ही

उन्होंने पंजाब सरकार को काम करने दिया। उसका नतीजा यह हुआ कि दिल्ली के देहात में किसानों की लाखों रुपये की फ़सल तबाह हुई—दिल्ली के ६० देहात को और रोहतक जिले के २८६ देहात को तबाही का मुंह देखना पड़ रहा है। श्री पाणिग्रही ने कहा कि पिछले दस बारह सालों में फ्लड-कंट्रोल और ड्रेन्ज के बारे में कोई काम नहीं किया गया है। मुझे मालूम है कि इस सिलसिले में काम किया गया है। हम जानते हैं कि पहले अम्बाला और करनाल में फ्लड्ज आते थे और उन का इलाज हो गया है। लेकिन उस के साथ ही उस का असर यह भी हुआ है कि अम्बाला और करनाल का सारे का सारा पानी रोहतक में आता है और पिछले चार पांच सालों में रोहतक जिले को तबाह करता है, क्योंकि ड्रेन नम्बर ८ का कोई आउट-फाल नहीं है, जो किसी दरिया में गिरता हो। अब पंजाब सरकार ने कोशिश की थी कि उस को जमना से जोड़ दिया जाये, ताकि दिल्ली और रोहतक के देहात को बचाया जा सके, लेकिन यह बद-किस्मती है हम देहातियों की कि ऐसा नहीं हो सका है। मैं जानता हूं कि यहां पर दिल्ली प्रदेश में देहातियों के नुमायंदे भी थे, लेकिन उन में से एक ने भी इस बारे में आवाज़ नहीं उठाई। जिन लोगों ने इस बड़े काम को इतने थोड़े अर्से में करने का ठेका लिया, वे उस में फ़ेल हुए। वे दिल्ली राज्य के काम में भी रोड़ा बने और पंजाब सरकार के काम में भी रोड़ा बने।

इस में प्लानिंग की भी ग़लती है। अगर ड्रेन्ज वगैरह के सिलसिले में ऊपर के बजाये पहले नीचे आउटफ़ाल का इन्तज़ाम किया जाये, तो ज्यादा अच्छा होता है, ताकि किसी को नुक़सान न हो, वर्ना नतीजा यह होता है कि अम्बाला और करनाल तो तबाही से बच गये लेकिन रोहतक और दिल्ली के देहात की तबाही की भ करुण कहानी जा रही है। मैं मंत्री महोदय और हिन्दुस्तान की सरकार से यह निवेदन करना चाहता हूं कि चाहे कोई कितना ही बड़ा दोस्त हो चाहे वह दिल्ली से लोक-सभा का सदस्य हो, चाहे कोई भाई सौ, दो सौ लोगों के साथ यहां पर आये, लेकिन अगर उस की बात सही नहीं है, तो उस को नहीं माना जाना चाहिए। यह नहीं होना चाहिए कि अगर कुछ भाई आते हैं, तो उन की बात सुननी ही चाहिए। उनके दबाव को मानना कोई सही तरीका नहीं है। अगर कोई मुकाबला करना चाहे, तो मैं उन से दस गुना आदमी पंडित जवाहरलाल नेहरू और मंत्री महोदय की सेवा में पेश कर सकता हूं। लेकिन मैं मानता था—और आज भी मानता हूं—कि यह तरीका ग़लत है और इसीलिये मैं हिन्दुस्तान की सरकार के मंत्रियों, हाफ़िज़ जी और हाथी साहब से प्रार्थना करता हूं कि वे किसी दबाव में न आयें और वे एक ही दबाव मानें और वह यह कि दिल्ली और रोहतक के देहात के लोगों की तबाही बचे। उन को तबाही से बचाने के लिये जो भी प्रोग्राम हो, उस को जल्दी से बनाया जाये। अगर दिल्ली का भारत सेवक समाज इस काम को पूरा नहीं कर सकता है, तो उस को बीच में से निकाल दिया जाये और जो कोई भी ठेकेदार उस पानी को जमना से जोड़ सकता है—और वह जुड़ सकता है— उस को वह काम दिया जाये। यह तबाही कई महीने तक चलेगी। जहाजगढ़ के इलाके में तो तबाही पिछले पांच साल से चल रही है। लोग पिछले पांच साल से फ़सल नहीं बो सकते हैं। उस तबाही से उस इलाके को बचाया जा सकता है और उस के लिये अहम कदम जितनी जल्दी हो सके, उठाये जायें।

भारत सेवक समाज से मेरा वास्ता रहा है और उस के लिये मेरे दिल में श्रद्धा है, लेकिन भारत सेवक समाज की संस्था से भी ऊपर भारत के नर-नारियों का हित है और यही सब से बड़ी सेवा है! अगर उस को बीच में से निकालने की आवश्यकता हो, तो उस को निकाला जाये।

Shri S. L. Saksena: Mr. Deputy-Speaker, Sir, on the 24th of this

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month I received a wire from my constituency that river Gandak had changed its course and it had run into the small Gandak and other small units and through them into Rohini and Rapti. The whole area I found was a big sheet of water. I have been, Sir, in Gorakhpur for the last 32 years. Never before have I seen a flood like the one which is there today. One-third of the whole district is under water, one-third of the crops have been destroyed and even according to the District Magistrate over five lakh persons have been affected. The loss is estimated to be not less than Rs. 10 crores.

Sir, you might think that as a Member of the Opposition I am saying all these things. I will read what the Chief Minister himself had to say about it. The reporter who was with him on his tour has reported it in the Pioneer like this:

> "The Chief Minister flew over Basti, Faizabad and Gorakhpur along the courses of the Rapti and the Ghaghra this afternoon to see the havoc caused by the floods in these rivers.
>
> Scenes of utter destruction, of angry waters swallowing prosperous villages, of deathly calm and desolution, of a vast grey sheet of water from horizon to horizon, were unfolded as the plane flew low over the Ghagra, the Rapti and the Rohini. Every river and rivulet, every nullah and pond is overflowing in Basti and Gorakhpur. Naugarh and Basti are the worst affected tehsils in Basti and Maharajganj and Pharenda" (these are my constituencies) in Gorakpur. The two Gorakhpur tehsils were a vast sea.
>
> Mr. Gupta said that he had been to Gorakhpur seven or eight times in connection with floods, but this was the worst.
>
> He was told that 12,000 persons had so far been evacuated from 1,700 villages in Gorakhpur where the Badi and the Chhoti Gandak and the Rapti had flooded vast areas. The number of marooned villages exceeded all previous records. Two hundred and fifty boats were engaged in rescue operations and they had been found insufficient.
>
> Rapti touched the highest flood level of 249·75 feet" (the highest was 250·57 feet) in 37 years, this morning and was stationary till 5·0 P.M."

Rohini has reached the highest level of over 252·25 feet. Then he says:

> "The trouble had started, he was told, with the Badi Gandak changing its course in Nepal and spilling a lot of water in the Chhoti Gandak which, in its turn, had flooded the Rohini. And all this water had now come to the Rapti.
>
> The Badi Gandak has a discharge of two million cusecs at present and the Ghaghra of over 12 lakhs cusecs."

According to the report of this High Level Committee, the normal discharge of the Gandak is 7,50,000 cusecs. Today it is at least two million cusecs, that is about three times the normal discharge.

Why has this happened.? We have got these surveys. In 1958 this report was submitted. It is said here:

> "The Nepal bund seems necessary for protecting a considerable area in Nepal as well as in India from flooding. It will also prevent spill water going through the Rohini spill channel into the Rapti."

About Gandak it says that unless a bund of eight miles west of the river in continuation of the Chitaumi bund is made this river will go through the spill into Rohini and Rapti. It was

said in 1938. Three years have passed and no action has been taken. It is a misfortune that the reports received as a result of our surveys are put on the shelves and they are not taken into consideration at all. If this bund had been constructed, the damage this year would not have occurred at all. There were floods on a small scale last year and the year before also. We said in the papers that this was going to happen. If it is not done this year also the entire main Gandak will go through Gorakhpur and Basti and the entire districts will be washed away. This is a very severe warning. I hope this warning will be taken note of and next year we will not have to see Gorakhpur and Basti destroyed like this.

In 1957 I drew the attention of the Government to the need for controlling the rivers Ghagra and Rapti. These are the sorrows of Uttar Pradesh. One-half of the population of Uttar Pradesh are devastated by these two rivers. The Prime Minister was good enough to give an assurance that in the Third Five Year Plan this will be considered. I am very sorry to say that though the Third Plan has been published, the control of these rivers has not been provided for therein. It will cost Rs. 30 crores to control Ghagra and Rs. 50 crores to control Rapti. Unfortunately, though these schemes have been prepared long ago, they have not been put into effect. Unless Ghagra and Rapti are effectively and properly dammed, Uttar Pradesh cannot be saved and three crores of people of Uttar Pradesh will probably continue to remain in need of help. The Minister for Irrigation comes from UP and he knows the seriousness of the position and the condition of that area. I, therefore, beseech him: for God's sake, leave everything else in UP, but put these two rivers, Ghagra and Rapti under control, whatever the cost so that there may not be further devastation at least in the future.

According to Government's own report, 1,700 farmsteads have been completely washed away, crops worth Rs. 5 crores have been destroyed and 75,000 kutcha houses have been demolished. The net result of this is a total loss of at least Rs. 10 crores. But the entire amount that they have spent on relief in one week is Rs. 30,000. Besides that, some relief has been done by public also. So, in all, Rs. 45,000 have been spent as relief on a population of 5 lakhs in one week. This will give an idea as to the actual relief that the affected people would have got. I will again repeat that the people of Gorakhpur, Deoria, Basti and eastern UP—probably the rest of UP also—are very badly affected by the floods and unless immediate relief measures are taken there will be terrible loss.

The history of flood control is very interesting. In 1954, when Shri Nanda was the Irrigation Minister, he said he will fight the floods on a war footing. That year there were heavy floods and he was probably very much affected by them. Now seven years have passed and still all those areas are under the mercy of nature. If this is the way of fighting on a war footing, I can only say God help him and his Plans. Therefore, I would say that this is not the way to fight the floods. In the Second Plan he had provided Rs. 170 crores. This was again cost into half or Rs. 80 crores. Again it was reduced to Rs. 56 crores and the actual expenditure was only Rs. 48 crores. In the Third Plan what you have provided is still less, and with that I do not know how this can be done. Therefore, unless you provide at least Rs. 160 crores for flood control, I am sure that you cannot touch even a fringe of the problem. I will, therefore, again beseech you that you may see that the flood affected areas are given the utmost importance.

In your own booklet you say that there is loss of hundred crores of rupees per year on account of floods. Therefore, if you spend only Rs. 61 crores in five years, by that time you

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would have lost Rs. 400 crores. Therefore, this amount of money is very necessary in order to save the huge amount that will otherwise be lost by floods. I am very sorry that it has not been done. I will, therefore, request the hon. Minister to personally visit the area and see for himself the conditions obtaining there. As far as the question of relief is concerned, whatever has been done so far is quite inadequate and unless very large-scale relief work is undertaken people will die in thousands and the situation will become uncontrollable. Therefore, I hope he will visit those areas and see things for himself.

श्री वाल्मीकी (बुलन्दशहर---रक्षित---अनुसूचित जातियां) : उपाध्यक्ष महोदय, मैं बहुत आभारी हूं कि आपने मुझे बोलने का अवसर दिया ।

भक्ति भाव भादों नदी खूब चली गहराय,
सरिता सोइ सराहिये जेठ माहिं ठहराय ।

अभी जो विधेयक पहले चल रहा था वह एक प्रकार से विशेष प्रकार के विचार प्रवाह के बारे में था, जो देश के राजनीतिक जीवन में और देश के नित्य प्रति के जीवन में प्रवाहित है और सम्भवतया जो जातिवाद की घृणा, भाषा की घृणा तथा धर्म की घृणा की भंवरें थीं उन के ऊपर नियंत्रण करने के लिये उस विधेयक को लाया गया था । लेकिन अब जो विचार चल रहा है वह बाढ़ों के प्रवाह के बारे में है जो कि सारे देश के अन्दर आती हैं । जिस तरह से चुनाव के वक्त विचारों की बाढ़ आती है जिनसे कि खराबियां और घृणा फैलती हैं और उन पर नियंत्रण होना चाहिये, उसी प्रकार से नदियों की बढ़ती हुई बाढ़ों को रोकने के लिये भी जितनी तेजी से प्रयत्न होने चाहियें उधर भी ध्यान दिया गया है । मैं उधर ज्यादा न जाते हुए यह कहूंगा कि हर वर्ष नदियों में बाढ़ आती है । हमारे इरिगेशन ऐंड पावर मंत्रालय ने, सेंट्रल वाटर ऐंड पावर कमिशन ने और जो फ्लड कंट्रोल बोर्ड है, उन्होंने स्थिति का गवेषणा के साथ और वैज्ञानिक भावना के साथ कितना अध्ययन किया है, वह हमारे सामने नहीं आया है । यह बात नहीं है कि बाढ़ों पर नियंत्रण करने के लिये और वाटर लागिंग को रोकने के लिये और उसे सुखाने के लिये प्रयत्न नहीं हो रहा है । प्रयत्न जरूर हुए हैं, लेकिन यह सन्तोषजनक नहीं है । हमें उन से कोई सन्तोष नहीं हुआ है । आज तीसरी पंचवर्षीय योजना चल रही है, उसमें कुछ प्रयत्न करना आवश्यक है । इस ओर मैं आप का ध्यान आकर्षित करना चाहता हूं ।

बाढ़ों का जोर सारे हिन्दुस्तान के अन्दर रहा है । उड़ीसा के अन्दर, केरल के अन्दर, बाढ़ें आईं, महाराष्ट्र के अन्दर पूना जैसा सुन्दर शहर बरबाद हुआ, लेकिन बाढ़ों की भयंकरता जैसी उत्तर प्रदेश के अन्दर रही है वैसी कहीं नहीं रही है । हमारे बंगाल के या उड़ीसा के या केरल के साथियों ने बहुत कुछ कहा है, लेकिन उत्तर प्रदेश में जहां विचारों की बाढ़ है वहां नदियों में भी एक अजीब बाढ़ आई हुई है । लाखों एकड़ धरती पानी के नीचे डूब गई है, लाखों एकड़ फसलें बरबाद हो गई हैं और लगभग डेढ़ सौ जानें चली गई हैं । मैं समझता हूं कि वह स्थिति आप के सामने भी है । वह कोई नई बात नहीं है । लेकिन जो थोड़ा समय मुझे मिला है उस में मैं सब से पहले आप का ध्यान अपने इलाके बुलन्दशहर की ओर, जिस तरफ बाढ़ का विशेष प्रभाव रहा है, आकर्षित करना चाहता हूं ।

यों तो यमुना नदी में, काली नदी और गंगा नदी में बाढ़ें आती हैं तो हमारा बुलन्दशहर घिर जाता है । यह प्रसन्नता की बात है कि हमारे राष्ट्रीय नेताओं ने उस तरफ विहंगम दृष्टि भी की है, स्थिति का सिंहावलोकन भी किया है । माननीय मंत्री जी जो बैठे हुए हैं वे भी इस के बारे में महसूस करते हैं, और उन्होंने आकाश से उड़कर देखा भी।

है उस स्थिति को। लेकिन यमुना के अन्दर जो बाढ़ आई है वह किसी तरह से कुदरत की ओर से नहीं, नेचर की जानिब से नहीं, बल्कि इन्सान की अपनी जबर्दस्ती की वजह से और इस प्रवाह की वजह से आई है और उस की ओर आप का ध्यान आकर्षित करना चाहता हूं। जिस परह से यमुना के अन्दर बाढ़ आती है उस का प्रभाव हमारे उस दोआब के ऊपर पड़ता है जो कि हिडन नदी या यमना नदी के बीच में है या खादर के ऊपर जो कि यमुना का खादर कहलाता है, सीधे ओखला के सामने से या सीधे जेवर के ठीक दक्षिणवर्ती इलाके, खर्जा तहसील और सिकन्दरा तहसील में फैला हुआ है, उस पर पड़ता है। इस लिये मैं कहना चाहता हूं यह जो पानी का प्रवाह हुआ वह पानी का प्रवाह अगर धीरे धीरे फैलता, उस बाढ़ का पानी धीरे धीरे बहता तो इन गांवों पर उतना प्रभाव न पड़ता और इतनी हानि नहीं होती।

18 hrs.

लेकिन सब से बड़ा प्रश्न यह है, जिस की ओर मैं आपका ध्यान आकर्षित करना चाहता हूं, कि जो लेफ्ट मार्जिनल बांध है, जिस की लम्बाई ६ मील है उस पर जब पानी का जोर बढ़ा तो सातवें मील पर २०० फुट तक काटा गया, और इस प्रकार वह पानी तेजी के साथ बुलन्दशहर की ओर उबल पड़ा। जहां तक हिडन कट का ताल्लुक है, उस के खर्च को आप जानते हैं, उत्तर प्रदेश की सरकार ने और दिल्ली प्रशासन ने बराबर बराबर बर्दाश्त किया है। लेकिन दिल्ली की तरफ का जो हिस्सा है उसे सम्भाले रक्खा गया, उसे लोग ठीक करते रहे पर जो उत्तर प्रदेश की तरफ की पटरी थी उस को काटा गया। कुछ पानी की तेजी से कटा, कुछ प्रवाह से कटा, लेकिन कुछ को तोड़ा गया, काटा गया, और इस प्रकार से सारे का सारा पानी का तूफान, सारी तुगयानी बुलन्दशहर के ऊपर फैल गई। इस प्रकार से इस बाढ़ का प्रभाव और वाटर लागिंग का प्रभाव ३२० गांवों पर पड़ा है, ५५ गांवों पर अधिक प्रभाव पड़ा है और २३ गांव बिल्कुल मैरूण्ड हो गए हैं और १४ गांव बिल्कुल टापू बन गए हैं। मिनिस्टर साहब ने हवाई जहाज से उस एरिया की स्थिति को देखा, लेकिन हवाई यात्रा से स्थिति का ठीक ठीक पता नहीं लग सकता। आज जब वहां पानी उतर रहा है तो स्थिति और भी भयंकर हो रही है। उसकी ओर मैं आपका ध्यान आकर्षित कराना चाहता हूं। इस सिलसिले में मैं एक सीधा आरोप सरकार पर लगाता हूं कि जान बूझ कर नहर की पटरी को काटा गया जिसके कारण बीसियों गांव बिल्कुल नष्ट हो गए और लाखों आदमी और जानवर बरबाद हो गए और काफी सम्पत्ति का नुकसान हुआ। मेरा यह आरोप सही है। इस नुकसान का अन्दाजा बीस लाख लगाया जाता है, लेकिन मैं समझता हूं कि जो धन की, घरों की और फसलों की हानि हुई है और जो जानवरों की हानि हुई है उस सब को अगर मिलाकर देखा जाए तो एक करोड़ से अधिक के नुकसान का अन्दाजा लगाता है। मैं इस ओर आपका ध्यान आकर्षित करना चाहता हूं और मैं चाहूंगा कि इस बात की जांच करायी जाए। यह बांध हिडन कट के और हिडन नहर के टूटने से आयी है। और यह बांध जानकर काटा गया। यह मेरा आरोप है। और अगर आप जांच करेंगे तो इस को सही पायेंगे। अगर जिम्मेदारी से काम किया जाता तो बुलन्दशहर के इन गांवों पर इस प्रकार का असर न पड़ता। मैं चाहता हूं कि जो हमारे इलाके पर प्रभाव पड़ा है उसकी सारी बातें आपके ध्यान में आ जाएं।

वैसे भी इस पिछड़े इलाके में इस प्रकार की मुश्किलें पैदा होती रहती हैं। इसके लिए मैं चाहता हूं कि परमानेंट प्रबन्ध किया जाए। मैं चाहता हूं कि उस इलाके के गांवों को ऊंचा किया जाए, रास्तों को ऊंचा किया जाए तो वहां की स्थिति सुधर सकती है।

इस कष्ट के समय उस इलाके के लोगों की सुरक्षा तथा तत्काल सहायता

[श्री वाल्मीकी]

के लिए प्रबन्ध किया गया उसकी मैं तारीफ करता हूं। करीब तीन हजार आदमियों को और करीब दस हजार जानवरों को बचाया गया। मैं समझता हूं कि करीब १,१३,५०० एकड़ जमीन जलमग्न हो गयी है जिसमें से ७६,२०० एकड़ धरती खेती के काबिल है। ३०३५ घर बरबाद हुए हैं। इस प्रकार कोई एक करोड़ से ज्यादा की हानि हुई है। इस सारी हानि का उत्तरदायित्व उन लोगों पर है जिन्होंने बांध को काटा है।

उत्तर प्रदेश सरकार ने बाढ़-पीड़ितों की मदद के लिए एक लाख रुपया दिया है। मैं चाहता हूं कि भारत सरकार और हमारे मंत्री महोदय भी इस मामले में उत्तर प्रदेश सरकार का हाथ बंटाएं। ऐसे समय में लग्न हमारे आर्मी के जवानों ने जिस लग्न से, जिस तत्परता से, जिस जागरूकता से और जिस सजीविता और सहृदयता से कार्य किया है उसकी मैं तारीफ करता हूं। इसके अलावा हमारे जिले के जिलाधीश और दूसरे आफिसरों ने भी बहुत अच्छा काम किया है जिसकी कि मैं तारीफ करता हूं।

श्री जगदीश अवस्थी (बिल्हौर): उपाध्यक्ष महोदय, जब से देश के अन्दर बाढ़ें आनी शुरू हुई तब से केन्द्रीय सरकार ने और राज्य सरकारों ने अपने यहां पर केन्द्रीय और राज्य बाढ़ नियंत्रण बोर्डों की स्थापना की। लेकिन अभी तक का जो बाढ़ों का इतिहास है और जो इन बाढ़ नियंत्रण बोर्डों का इतिहास है उससे स्पष्ट है कि ये बाढ़ नियंत्रण बोर्ड असफल साबित हुए। ऐसी हालत में मैं इन बोर्डों की आवश्यकता नहीं देखता क्योंकि जिस मर्ज को दूर करने के लिए इनकी स्थापना की गयी थी वह दूर नहीं हो पाया। इन बाढ़ नियंत्रण बोर्डों को तो समाप्त कर देना चाहिए और जो धन इन पर खर्च किया जाता है वह इन बाढ़ पीड़ितों पर खर्च किया जाना चाहिए जिनका नुकसान होता है। ऐसा करने से कम से कम उन लोगों को कुछ सहायता ही मिलेगी।

इस वक्त देश के विभिन्न भागों में बाढ़ आयी हुई है। परसों मैं अपने क्षेत्र में दौरा कर रहा था तो मैं ने देखा कि कानपुर जिले में गत वर्ष छोटी नदियों के प्रकोप के कारण बाढ़ आयी थी लेकिन गंगा नदी ने कृपा रखी थी। गत वर्ष भीषण बाढ़ आयी और उससे जन की काफी हानि हुई थी। लेकिन इस वर्ष छोटी नदियों ने तो कृपा रखी है लेकिन गंगा ने कानपुर जिले के २५ गांवों को जो कि निचले हिस्से में बसे हुए हैं बहुत प्रभावित किया है। परसों जब मैं उस क्षेत्र में घूम रहा था तो मैं ने देखा कि दो तीन गांव तो गंगा जी की धार में आ गए हैं और बिल्कुल ही बह गये हैं और उनका निशान तक नहीं रहा कि वे गांव कहां पर थे। सैकड़ों व्यक्ति किसी प्रकार बचाए गए। वे गृहहीन और भूमिहीन अवस्था में हैं, उनके रहने के लिए कोई व्यवस्था नहीं की जा रही है। कुछ व्यक्तियों ने उनको अपने घरों में स्थान दे दिया है।

हमारे मंत्री केवल एरियल सर्वे करके चले जाते हैं। लेकिन जो ठोस मदद उस इलाके के लोगों को मिलनी चाहिए वह नहीं मिल रही है।

सब से बड़ी बात जो मैं कहना चाहता हूं वह यह है कि कानपुर जिले में गंगा के तट पर जो २५ गांव कछार में बसे हुए हैं उन पर प्रति वर्ष बाढ़ों का प्रभाव पड़ता है। स्टेट गवर्नमेंट ने केन्द्रीय सरकार को इन इलाकों के बारे में लिखा कि इनको बाढ़ नियंत्रण बोर्ड में ले लिया जाए और इनका स्थायी प्रबन्ध किया जाए ताकि उनमें गंगा का पानी न आ सके, लेकिन अभी तक केन्द्रीय सरकार ने कोई ऐसा प्रबन्ध नहीं किया कि वे गांव बच सकें। इसका परिणाम यह है कि वहां पर प्रति वर्ष हजारों लाखों का नुकसान होता है। मैं चाहूंगा कि बिठूर से लेकर कानपुर तक दस मील का जो पश्चिम का इलाका है, जो कि कछार कहलाता है और जहां बाढ़ से हर साल

लाखों का नुक्सान होता है, उस इलाके के लिए कोई निश्चित योजना बनायी जाए और इन इलाकों में जो जन धन की हानि होती है उसको बचाया जाए। इस समय उस इलाके के लोगों की स्थिति यह है कि न उसके पास रहने को मकान है और न कोई जमीन है। उन लोगों को इस प्रकार की सहायता दी जाए कि वे फिर से अपना जीवन निर्वाह प्रारम्भ कर सकें।

एक बात मुझे बड़े दुःख के साथ कहनी पड़ती है कि जब इन लोगों की यह स्थिति हो जाती है तो राज्य सरकार की ओर से उनको कहा जाता है कि तुम्हारी मालगुजारी माफ हो जायेगी, लेकिन बाद में जब खरीफ की फसल आती है तो उनसे वह वसूल कर ली जाती है। उनको कुर्की और जब्ती का भय दिखाया जाता है, उनको जेल में बन्द करने की धमकी दी जाती है। अगर इस बात की शिकायत यहां मिनिस्टर साहब से की जाती है तो वह कह देते हैं कि इससे हमारा कोई सरोकार नहीं है। लेकिन मैं कहना चाहता हूं कि यह स्थिति भी तो बाढ़ के ही कारण होती है और इसलिए यह भी बाढ़ का ही एक हिस्सा है। इस बाढ़ के कारण ही राज्य सरकार घोषणा करती है कि उनकी मालगुजारी माफ कर दी जायेगी। सरकार को इस घोषणा के अनुसार उनकी मालगुजारी माफ करनी चाहिए।

इसके अलावा मैं यह कहना चाहता हूं कि उन गांव वालों को ऐसी आर्थिक सहायता दी जाये कि उनके मकान बन जायें और उनको वहां से हटा कर ऊंची जमीन में बसाया जाये और जिनको भूमि की आवश्यकता है उनको भूमि देकर बसाया जाये।

इसके साथ साथ मैं एक और बात की ओर आपका ध्यान दिलाना चाहता हूं। जिस वक्त सिंचाई मंत्रालय पर बहस हो रही थी उस वक्त मैंने इस ओर सरकार का ध्यान दिलाया था। कानपुर जिले में जल निकासी योजना लागू करने की बड़ी आवश्यकता है। राज्य सरकार ने इस योजना को भेज दिया है लेकिन उस पर अमल अभी तक नहीं हुआ है। इसके अभाव में हर साल लाखों एकड़ जमीन जल निकासी न होने के कारण पानी के नीचे आ जाती है और रुक जाती है और इससे लोगों को बड़ी परेशानी होती है। मैं चाहूंगा कि इस जल निकासी योजना को जल्दी कार्यान्वित किया जाये।

केन्द्रीय सरकार जो राज्य सरकारों को बाढ़पीड़ितों को सहायता देने के लिए अनुदान और तकावी के नाम पर धन देती है वह अपर्याप्त है। इसका परिणाम यह होता है कि लोगों का जितना नुकसान होता है उसके अनुसार उनको सहायता नहीं मिल पाती। इस बात की बड़ी आवश्यकता है कि इन बाढ़ग्रस्त इलाकों के लोगों को आप अधिक सहायता दें। यह कहना कि धन नहीं है काफी नहीं है क्योंकि यह तो एक स्थायी उत्तर बन गया है। जब सरकार दूसरे फिजूल के कामों पर करोड़ों रुपया खर्च करती है तो क्यों नहीं उसको बचा कर इस काम पर खर्च किया जाता सरकार को चाहिए कि इस प्रकार के रुपये को बचा कर जो फिजूल के कामों पर खर्च होता है, उन लोगों को तकावी और अनुदान के रूप में सहायता करे ताकि उनकी ठीक प्रकार से सहायता हो सके।

मैं चाहूंगा कि केन्द्रीय मंत्री महोदय इस पर विचार करें कि कानपुर जिले में जो गंगा के किनारे गांव हैं उनको उठाकर स्थायी रूप से ऊंची जमीन पर बसाया जाये ताकि आगे लोगों का बाढ़ से नुकसान न हो सके।

उपाध्यक्ष महोदय : श्री सिंहासन सिंह।

श्री रघुनाथ सिंह (वाराणसी) : उपाध्यक्ष महोदय, बनारस की एक खास समस्या है, इस लिये मुझे भी अवसर दिया जाये।

उपाध्यक्ष महोदय : अगर हर एक कांस्टीट्यूएन्सी और हर एक जिले का जिक्र

[उपाध्यक्ष महोदय]

किया जाना है, तो फिर माननीय सदस्य सिर्फ़ पांच पांच मिनट लें ।

श्री सिंहासन सिंह (गोरखपुर) : उपाध्यक्ष महोदय, फ्लड कंट्रोल के विषय में जो पुस्तिका हमें दी गई है, उस में गवर्नमेंट की तरफ़ से यह आंकड़े दिये गये हैं कि १९५३ के बाद बाढ़ के कारण करीब सौ करोड़ रुपये का हर साल नुक्सान हो रहा है । १९५४ में फ्लड कंट्रोल बोर्ड और रिवर कमीशन बनाया गया और उन के द्वारा बाढ़ को रोकने के उपाय काम में लाये जाने लगे । अगर हम को इस आशय के आंकड़े मिलते कि उस से पहले बाढ़ से कितना नुक्सान होता था और इन संस्थाओं के द्वारा उस में कितनी कमी की गई है, तभी हम इन की क्षमता और योग्यता के बारे में कुछ कह सकते थे । जो सूचना हमारे पास उपलब्ध है, उस के आधार पर इस बात का पता नहीं है कि जब से फ्लड कंट्रोल बोर्ड बना है, तब से उस ने बाढ़ों की कितनी रुकावट की और देश को कितनी हानि से बचाया । लेकिन यह तथ्य है कि देश में हर साल १०० करोड़ रुपये का नुक्सान बाढ़ों से हो रहा है ।

फ्लड कंट्रोल बोर्ड ने बाढ़ को रोकने के लिये कुछ सुझाव दिये हैं, जिन को लांग टर्म, शार्ट टर्म और मीडियम टर्म की श्रेणियों में विभक्त किया जा सकता है । मीडियम टर्म उपाय तो बीत गये, शार्ट टर्म उपाय सैकंड प्लान में किये गये और लांग टर्म उपाय अब करने जा रहे हैं । शार्ट टर्म कार्यक्रम में चैनल डाइवर्शन, चैनल इम्प्रूवमेंट, रेजिंग आफ़ विलेजिज़, कंस्ट्रक्शन आफ़ मोर एम्बैंकमेंट्स, कंस्ट्रक्शन आफ़ मोर डैम्ज़ आदि हैं ।

जहां तक चैनल्ज़ को बनाने और उन को इम्प्रूव करने का प्रश्न है, बहुत से चैनल्ज़ जो स्वभावतः प्राकृतिक रूपसे, बने हुए थे, उन को बन्द कर देने से पानी के बहने का रास्ता रुक गया । उन के रुकने के कारण बाढ़ की स्थिति पर क्या प्रभाव पड़ा, यह एक विचारणीय प्रश्न है । १९५४ के फ्लड्ज़ हाइएस्ट कहे जा सकते हैं । उस वक्त सब नैटरल चैनल्ज़ खुले हुए थे । उन के बन्द होने के बाद अभी फ्लड्ज़ हाइएस्ट प्वायंट पर नहीं पहुंचे हैं और अभी बाढ़ की विषमता १९५४ से कम है, लेकिन नदियां और चैनल्ज़ बन्द होने के कारण बाढ़ों की गुरुता बढ़ रही है और उन से नुक्सान हो रहा है । ड्रेनेज सिस्टम की व्यवस्था नहीं की गई है ।

दूसरी तरफ़ गांवों को उठाने की बात है । हमारे यहां--गोरखपुर, बलिया, बस्ती और देवरिया आदि में--गांव उठाये गये और उस में लोगों को काफ़ी राहत मिली । लेकिन गांवों का उठाना इस ढंग से हुआ कि गांव नहीं उठे, घर उठे और गांव गांव में दरारें पड़ गईं और नालियां बन गईं और बहुत से मकान उन दरारों में, नालियों में पानी बहने के कारण गिर जाते हैं । मेरा तात्पर्य यह है कि गांवों को किसी सुनियोजित स्कीम के अनुसार नहीं उठाया गया ।

कई गांव तो ऐसे मिले, जिन में ज़रा भी मिट्टी नहीं पड़ी, लेकिन उन के बारे में हज़ारों रुपया बिलों में दिखाया गया है । अगर फ्लड कंट्रोल और रिवर कमीशन ने इसी तरीक़े से गांव उठाने हैं, तो हम कहेंगे कि गांव न उठाये जायें । हमारे चीफ़ मिनिस्टर साहब वहां पर गये थे और उन्होंने कहा कि गांवों को उठाना है । अभी श्री शिवन लाल सक्सेना ने ज़िक्र किया । उस क्षेत्र में कभी बाढ़ नहीं आई, लेकिन अब वहां का भी प्राबलम है । गांवों को उठाना है । लोग पेड़ों पर चढ़े और दूसरे लोगों ने उन को उतारा । वहां पर अधिकारियों ने काम किया और मेहनत की, लेकिन फिर भी राहत नहीं मिली ।

इस सम्बन्ध में मेरा सजेस्शन यह है कि गांवों को उठाने का काम कंट्रैक्टर्ज़ को न दिया जाये । यह गांव सभाओं की ज़िम्मेदारी है और उन को कहा जाये कि वे गांवों को उठायें

और चारों तरफ़ अगर रेज़रवायर की तरह से मिट्टी डालें, तो तालाब बन सकते हैं और वहां पानी इकट्ठा हो जाता है । यह सब काम किसी स्कीम से होना चाहिए ।

चूंकि हालात में कितनी ही क्षति होती है और सरकार की मालगुजारी अलग खत्म हो जाती है, इसलिये मेरा सुझाव यह है—और यह कई बार कहा गया है—कि बाढ़-क्षेत्रों में कोई ऐसा उपाय किया जाये कि हम वहां पहले नदियों से पानी ले सकें । वह पानी ले कर फ़सल जल्द पैदा कर लेंगे और उस के बाद अगर बाढ़ आ भी जाये, तो उस फ़सल को घर में रख सकते हैं । जहां जहां गांव और घर ऊंचे कर लिये गये, वहां पानी आने के बाद भी आदमियों के निकालने का प्राबलम नहीं पैदा हुआ और वे लोग गांवों में बसे हुए हैं । अगर नदियों में लिफ्ट कर के पानी का इन्तजाम हो जाये, तो अर्ली क्राप्स, मक्का और सावां आदि, पैदा किये जा सकते हैं और इस तरह खाने की व्यवस्था हो सकती है । गोरखपुर के उस हिस्से में, जहां लेट पानी आया है, काफ़ी मक्का बचा लिया गया है और उस से राहत हुई है । अगर मक्का की फ़सल भी न होती, तो दिक्कत होती ।

गोरखपुर में पानी आने की समस्या कोई नई नहीं है, वह तो हर साल का मसला है—हर साल पानी आता है, जब कि देश के और भागों में शायद किसी साल आ जाता हो । वहां पर ड्रेनेज की व्यवस्था करना भी आवश्यक है । जब माननीय मन्त्री जी यू० पी० में मन्त्री थे, उस वक्त भी यह योजना चली थी कि राप्ती और घाघरा का पानी नेपाल में दिया जाये । वह स्कीम आज तक कागज पर है । मैं माननीय मन्त्री से यह अनुरोध करूंगा कि वह बाढ़ के सम्बन्ध में सारे देश के आंकड़े देखें और जहां हर साल बाढ़ आती है, वहां प्राथमिकता दी जाये । वह इस बात पर विचार करें कि राप्ती, रोहिणी और घाघरा नदियों से हर साल बाढ़ आती है और क्षति होती है । उन की तरफ़ ध्यान नहीं दिया जा रहा है । मैं ने इस रिपोर्ट में देखा है कि उन्हीं नदियों के नाम हैं, जहां हर साल बाढ़ नहीं आती है और जहां हर साल आती है, उन का नाम नहीं है ।

उपाध्यक्ष महोदय : उन का क्या करें ? उन की तो आदत हो गई है ।

श्री सिंहासन सिंह : प्रश्न तो यह है कि उन के सम्बन्ध में क्या कदम उठाया जा रहा है । मेरा कहना यह है कि उन को ठीक करने के लिये कोई कदम नहीं उठाया गया है ।

मुझे प्रसन्नता है कि माननीय मन्त्री खुद वहां की स्थिति देखने के लिये जा रहे हैं । वह न सिर्फ़ हवाई जहाज से, बल्कि नीचे से भी सारी स्थिति को देखें और वहां के लोगों की अनुदान और सहायता से मदद करें, ताकि पीड़ित यह समझ सकें कि विपत्ति के समय सरकार उन के साथ है ।

श्री सरजू पाण्डेय (रसड़ा) : उपाध्यक्ष महोदय, मुझे इस सम्बन्ध में कुछ ज्यादा नहीं कहना है । कई माननीय सदस्यों ने कहा कि सरकार ने स्वयं बाढ़ की भयंकरता को महसूस किया है और कहा है कि उस से ४०० करोड़ रुपये का सालाना नुकसान होता है । लेकिन दूसरी तरफ़ सरकार ने यह भी कहा है कि बाढ़ को रोकने में, उस को कंट्रोल करने में हम ही अक्षम नहीं हैं, अमरीका भी है । जब भी कोई बात इस हाउस में उठाई जाती है, तो सरकार की तरफ़ से कहा जाता है कि हम ही नहीं, हमारी तरह सारी दुनिया फ़ेल है । मैं कहता हूं कि अमरीका से तो हम जवाब तलब नहीं कर सकते, यह गवर्नमेंट बताये कि वह क्यों फ़ेल है ।

इस रिपोर्ट में सरकार की तरफ़ से यह बताने की कोशिश की गई है कि हम बाढ़ को रोकने का प्रयत्न कर सकते हैं, लेकिन चूंकि सारी दुनिया में बाढ़ आती है, इसलिये हम भी कुछ न कुछ करते रहेंगे । मेरा अनुरोध है कि सरकार को इस सम्बन्ध में बहुत सस्ती से

[श्री सरजू पाण्डेय]

कदम उठाना चाहिए । हम पूर्वी जिलों में आते हैं, जो सब से पिछड़े हुए हैं । गाजीपुर, बलिया बस्ती, देवरिया, आजमगढ़ और गोरखपुर आदि ये आठ नौ जिले ऐसे हैं कि वहां पर कोई प्रोग्राम नहीं है । हां, विलेज रोजगार—गांव ऊंचा करने—का काम हुआ है, लेकिन खुद यू० पी० असेम्बली में इरिगेशन मिनिस्टर ने बताया है कि कई गांव ऐसे हैं, जिन का पता नहीं है, लेकिन कागजों में उन के नाम पर पेमेंट हो चुका है । मेरे जिले गाजीपुर में इतनी लूट है । बहरहाल, उस लूट से इस सरकार का कोई ताल्लुक नहीं है ऐसा मंत्री महोदय कह सकते हैं ।

श्री जगदीश अवस्थी : ये भी शामिल हैं ।

उपाध्यक्ष महोदय : पटवारी भी गलती कर दिया करते हैं और यूं ही लिख देते हैं कि इस जगह पर गांव है ।

श्री सरजू पाण्डेय : वह तो ठीक है, लेकिन खुद सरकार ने कहा है कि ऐसी गलती हुई है । अगर कोई गांव न हो और पेमेंट हो जाये, यह एक अजीब मामला है ।

श्री जगदीश अवस्थी : धन का निश्चय ही दुरुपयोग हुआ है ।

श्री सरजू पाण्डेय : यह कहा गया है कि रिवर कमीशन ने बड़ा काम किया है और इस रिपोर्ट के पेज ८ पर कहा गया है कि बलिया–देवरिया बांध, जो कि यू० पी० और बिहार के झगड़े के कारण बन्द था, बन कर कम्पलीट हो गया है । मेरी सूचना के अनुसार यह बात बिल्कुल गलत है । बांध तो बना है, लेकिन करीब करीब तीन-चार मील अभी भी नहीं बना है और बिहार की गवर्नमेंट अब भी रोके हुए है । और आप ने इस में एक ऐसी बात लिख दी है जो कतई तौर पर सही नहीं है । मैं बलिया-बेरिया बांध के बारे में कह रहा हूं । पेज ८ पर यह लिखा है :

"The River Commission have done useful work especially in solving the inter-state problem. A notable example is the problem of Ballia-Baria Bund where the dispute between the U.P.-Bihar States was amicably resolved."

यह बिल्कुल गलत है । बांध नहीं बना है । बिहार गवर्नमेंट ने रोक रखा है । मेरा यह कहना है कि बिहार गवर्नमेंट अब भी बांध को कम्पलीट नहीं करने दे रही है ।

इस सिलसिले में एक तो यहां कटान की बड़ी भारी प्राबलेम है । नदियां हर साल सैकड़ों गांवों को बहा कर ले जाती हैं । बाढ़ों को रोकने के लिये उत्तर प्रदेश में कोई ऐसी योजना बनाइये जिस से जो यह परमानेन्ट बीमारी है वह खत्म हो । दूसरे बिहार का जो यह मामला है उस को बिहार गवर्नमेंट को लिख कर हल करें ताकि आप का बांध पूरा हो जाय । बलिया- बेरिया बांध कम्पलीट हो जिस से बाढ़ों में रुकावट डाली जा सके ।

तीसरी बात बाढ़ों के सिलसिले में मैं यह कहना चाहता हूं कि आप ने इंजीनियर वगैरह जो होते हैं आप उन्हीं लोगों से राय लेते हैं । न तो कमेटियों से राय लेते हैं न जन प्रतिनिधियों से लेते हैं और मनमाने ढंग से काम करते हैं, जिस का नतीजा यह होता है कि बहुत सी छोटी नालियों को एक नदी में या एक नाले में मिला दिया जाता है और उस नदी या नाले में इतनी क्षमता नहीं होती है कि वह पूरे पानी को बहा सके । नतीजे के तौर पर पानी बाहर फैलता है और सैकड़ों गावों को बहा ले जाता है । इसलिये आप तमाम लोगों का सहयोग हासिल कीजिये और जो सुझाव आयें उन पर अमल कीजिये । सब जगह सही मानों में तहकीकात लगाया जाय और ठीक से काम किया जाय ।

Shri S. M. Banerjee (Kanpur): Sir, U.P. is a bigger State. Before I say something about these floods and their control in India, I wish to say that I

read this book with interest. Everytime there is a devastating flood throughout the country this book is presented to us to be presented by by us to those people who are so terribly affected by the floods as the Noah's Ark. I am very sorry. The flood situation is discussed every year in this House and we are assured by the hon. Deputy Minister and the hon. Minister that the problem has been partially solved; sometimes they say most of it is solved. But I am sure if a thorough enquiry is made into the functioning of this board, the result will show that nothing has been done to control the floods. I can understand the natural calamities. After all nature is sometimes very hostile to men. But why are we not controlling these floods where possible? What about the breach in the Hindon as Shri Balmiki pointed out? Every year there is a breach in the bund here, in Delhi and Shahdara and other places are flooded but only gross negligence on the part of the Government is noticed when we see that a particular breach is widened from 50 feet to 150 feet, within 24 hours. It is our Army jawans who save the people actually and their properties. I must congratulate those jawans who have saved them.

The Centre has to take note of U.P.'s condition because U.P. is flooded everywhere. This time several districts, including Gorakhpur and Lucknow districts of Uttar Pradesh are flooded. Unfortunately, instead of discussing the flood situation, the U.P. legislators are discussing the vote of no confidence or confidence; that is what they discuss....

Shri Raghunath Singh: It is they who bring it.

Shri S. M. Banerjee: I am not interested in the party politics. It is the Congress dissidents who are digging the grave of the U.P. Congress. I am not going into that.

Mr. Deputy-Speaker: The hon. Member must be happy over it.

Shri S. M. Banerjee: I am not at all happy. I am greatly interested in the integration of the Congress so that I might fight them and defeat them when they are integrated. I do not take advantage of disintegration. I am only requesting the hon. Minister, through you, that, firstly, he should take a serious note of these things. An aerial survey should be made of these flooded areas. When the Chief Minister of Uttar Pradesh was the President of the State Congress, last year, when there were floods in Lucknow, he used to walk and see those places. Today, after becoming the Chief Minister, he has forgotten that the people should walk!

Mr. Deputy-Speaker: He should not talk in this manner.

Shri S. M. Banerjee: I am not criticising. I am only asking for an aerial survey.

Mr. Deputy-Speaker: He is criticising the Chief Minister.

Shri Narasimhan (Krishnagiri): If points are mentioned, we will listen. But, at this late hour, they are indulging in power politics.

Shri S. M. Banerjee: The present members of the Flood Control Board should resign. They have no business to remain on this Board because they are unable to solve this problem.

Mr. Deputy-Speaker: Next to the Ministry!

Shri S. M. Banerjee: My next suggestion is that taccavi loans should be given liberally. There should be no land revenue collected. They should be completely exempted. Nobody should pay malguzari, and that should be exempted at least for one year.

My third suggestion will be that aid should be given to Uttar Pradesh. I want to know what amount have the Centre spent by way of aiding these flood victims in Uttar Pradesh. Finally, I would request the hon. Minister to take charge of the work relating to the Uttar Pradesh floods.

श्री आसर (रत्नागिरि) : उपाध्यक्ष महोदय, १२ जुलाई का दिन पूना के इतिहास में बड़ा भयंकर दिन रहा । उस दिन पूना में इतनी भयंकर बाढ़ आई कि उस का परिणाम यह हुआ कि पूना का कम से कम आधा भाग पानी में डूब गया । इस का कारण बरसात का पानी नहीं था, बल्कि वहां पर जो पानशेत बांध मिट्टी का बना हुआ था, उस के टूटने के कारण ऐसा हुआ । जब इस बारे में महाराष्ट्र विधान सभा में जनसंघ सभासद ने कार्य-स्थगन प्रस्ताव रक्खा तो उस का जवाब देते हुए वहां के चीफ मिनिस्टर ने बतलाया कि जो बांध सन् १९६२ में पूरा होने वाला था उस को उन्होंने एक साल पहले ही पूरा किया, और ऐसा करने के लिये जो परमिशन दी थी वह सेंट्रल गवर्नमेंट के इंजीनिअरों को कन्सल्ट करने के बाद दी थी । उन के कन्सल्टेशन के बाद यह निर्णय किया गया । जब बांध टूटने का एक कारण यह था कि सन् १९६२ में पूरा होने वाला बांध सन् १९६१ में ही पूरा कर लिया गया तो मैं जानना चाहता हूं कि अगर सेंट्रल गवर्नमेंट के इंजीनिअरों ने इस बारे में सलाह दी थी तो वह क्या सलाह दी थी, और वह सलाह पूरी मानी गई या नहीं । अगर वह सलाह मानी गई तो उस की जिम्मेदारी सेंट्रल गवर्नमेंट पर है क्योंकि इस बाढ़ के कारण पूना में १५ करोड़ रु० का नुक्सान हुआ है । हजारों घर गिर पड़े, लाखों लोग बेघर हुए और सैकड़ों मर गये ।

महाराष्ट्र के चीफ मिनिस्टर ने अपने स्टेटमेंट में लिखा है कि पूना में जो बाढ़ आई उस में १५ करोड़ रु० की हानि हुई है, इस हानि का प्रमुख कारण एक ऐसे बांध का बनना था जिस के लिये श्री बासप्पा ने बतलाया कि उस के जो डोर्स थे उन को गिराने का प्रयत्न किया गया लेकिन वे गिरे नहीं । परिणाम यह हुआ कि यह बांध टूट गया । इस बांध को बचाने के लिये आर्मी के जवानों ने भी काफी परेशानी उठाई बहुत कोशिश की इनको धन्यवाद । अगर वे प्रयत्न न करते तो जो हानि होती उस का अन्दाजा लगाना कठिन है । कम से कम ५० हजार आदमी मर जाते; नुकसान भी बेहिसाब होता । मैं जानना चाहता हूं कि मिट्टी का डैम बनाते समय क्या हम ने इस बात का ध्यान रक्खा था कि मिट्टी का डैम बनाने के लिये वह स्थान अच्छा है या नहीं ? इस के बारे में एक कंट्रोवर्सी हुई जिस में यह कहा गया कि जो पानशेत का स्थान है वह मिट्टी का डैम बनाने के कदापि योग्य नहीं था । ऐसा वहां के बड़े इंजीनिअर्स ने बतलाया था । मैं जानना चाहता हूं कि इस बारे में क्या स्थिति है और उस पर विचार किया जाय ।

जो स्टेमेंटट मंत्री जी ने महाराष्ट्र स्टेट की बाढ़ के बारे में दिया उस में केवल पूना के बारे में बतलाया गया । लेकिन महाराष्ट्र के अन्य भागों में जो बाढ़ आई है उस का कोई उल्लेख नहीं किया गया । कोल्हापुर में बड़ी बाढ़ आई और बहुत काफी नुक्सान हुआ, सांग्ली में बड़ी बाढ़ आई, रत्नागिरि डिस्ट्रिक्ट में राजापुर, खार पाटन, खेड़ आदि में बाढ़ आई, उस का उल्लेख भी नहीं किया गया । अन्य स्थानों में भी बाढ़ आई, लाखों रुपयों का नुक्सान हुआ, उस का कोई विवरण नहीं दिया गया । क्यों नहीं दिया गया ? मैं कहना चाहता हूं कि सन् १९५८ में रत्नागिरि में बड़ी बाढ़ आई थी जिस में कि करीब करीब डेढ़ करोड़ रुपये का नुक्सान हुआ था । बाद में मुख्य मंत्री जी ने आश्वासन दिया था कि जो बाढ़ें आती हैं उन को रोकने के लिये प्रयत्न किया जायेगा, लेकिन दुःख से कहना पड़ता है कि सन् १९५८ से ले कर सन् १९६१ तक वहां पर बाढ़ों को रोकने के लिये कोई प्रयत्न नहीं किया गया । हर साल वहां के शहरों में बड़ी परेशानी होती है और बाढ़ों से वहां पर बहुत नुक्सान होता है । इस बार राजापुर, खारे पाटन, खेड़ वगैरह में जो बाढ़ आई उस से वहां के बाजारों में पानी

भर गया, और इस कारण वहां के छोटे छोटे व्यापारियों को लाखों रुपयों का नुकसान हो गया । इस का एक ही कारण है कि वहां की नदियां सिल्ट हो रही हैं । इस सिल्टिंग को दूर करने का प्रयत्न किया जाना चाहिये, जो कि नहीं किया जाता । इस ओर ध्यान दिया जाये ।

आखिर में मैं एक बात और कहना चाहता हूं कि हमारा जो रत्नागिरि सिटी डिस्ट्रिक्ट प्लेस है वहां सी इरोजन का बड़ा प्रश्न है और यह चीज दिन पर दिन बढ़ती जा रही है । बहुत बार स्टेट गवर्नमेंट ने सेंट्रल गवर्नमेंट को लिखा और इसके लिए सहायता मांगी । इस सी इरोजन से ५–६ लाख रुपये का नुकसान हो चुका है । यह समुद्र का आक्रमण दिन पर दिन बढ़ता जाता है और समुद्र के किनारे के जो गांव हैं वे पानी में जा रहे हैं । इस बारे में मिनिस्ट्री ध्यान दे और कुछ सहायता करे और इसको रोकने का प्रयत्न किया जाये, विशेष कदम उठाया जाये ।

श्री च० कृ० नायर (बाह्य दिल्ली): उपाध्यक्ष महोदय, हमारे अपोजीशन के दो माननीय सदस्यों ने कहा कि जो फ्लड कंट्रोल बोर्ड है इनको हटा देना चाहिए और एरियल सरवे भी नहीं होना चाहिए । मैं यह सुन कर हैरान हो गया कि ये माननीय सदस्य क्या चाहते हैं । । फ्लड की समस्या बढ़ती जा रही है और देश व्यापी होती जा रही है । इसलिए उसके लिए कुछ न कुछ तो करना ही है । उस समस्या का सामना करने के लिए फ्लड कंट्रोल बोर्ड बनाए गए हैं, लेकिन कहा जाता है कि इनको रिजाइन कर देना चाहिए और इनको हटा दिया जाना चाहिए । यह तो विशेषज्ञों का एक बोर्ड है और बहुत जिम्मेदारी के साथ काम करता है । यह ठीक है कि यह चीज हमारे देश में नई है । पहले फ्लड का सवाल नहीं उठाया जाता था । लेकिन अब चूंकि हम आजाद हो गए हैं और मुल्क के चप्पे चप्पे के नुमाइन्दे यहां आकर बैठते हैं इसलिए अब यह सवाल उठाया जाता है । इसलिए इसका हल करने के लिए फ्लड कंट्रोल बोर्ड का कायम करना लाजिमी था । पहले भी फ्लड बहुत आते थे लेकिन अंग्रेजों के जमाने में कोई जनता की आवाज सुनता ही नहीं था, हजारों लाखों लोग मरते थे और लाखों एकड़ जमीन पानी में डूब जाती थी । इसलिए मेरे कहने का मतलब यह है कि यह जो कह दिया जाता है कि फ्लड कंट्रोल बोर्ड हटा दिये जाएं या एरियल सरवे न किया जाए ये गैरजिम्मेदाराना बातें हैं ।

श्री जगदीश अवस्थी : माननीय सदस्य ने शब्द "गैरजिम्मेदाराना" कहा, यह अनपार्लियामेंटरी है । इसको वापस लिया जाए ।

उपाध्यक्ष महोदय यह कोई गैर-पार्लियामेंटरी शब्द नहीं है ।

श्री च० कृ० नायर : मेरा यह बात कहने का इरादा नहीं था लेकिन जब लोगों ने यहां ऐसी बात कही तो मुझको कहना पड़ा ।

देश के दूसरे भागों में बाढ़ आई है और दिल्ली में भी बहुत भयंकर बाढ़ आयी है जो कि आप सब को मालूम है । लेकिन यह कितने अफसोस की बात है कि दिल्ली का नाम आपकी रिपोर्ट में नहीं आया । शायद हमारे यहां बहाव उसके बाद आया हो । लेकिन मैं जरूर निवेदन करूंगा कि इसको भी आप अपनी रिपोर्ट में चाहें तो सप्लीमेंटरी तौर पर इसको शामिल कर लिया जाए और आगे इस पर ध्यान रखा जाए ।

जहां तक दिल्ली शहर का ताल्लुक है इस साल इतनी परेशानी नहीं हुई जितनी कि पहले होती थी । यह हम मानने को तैयार है । शाहदरा बांध बनाने के बाद वहां की जी० टी० रोड, रेलवे लाइन और शाहदरा शहर ये सब बच गए हैं, और उसी तरह मारजिनल बांध नीचे बांधने से वहां गांधी नगर, गीता कालोनी, कृष्ण नगर ये सब बच गए हैं ।

[श्री च० कृ० नायर]

हमारी मुसीबत है नजफगढ़ का नाला । इसमें कोई १५ बड़े बड़े नाले आकर मिलते हैं । यहां पर रोहतक के नुमाइन्दे ने बड़ा अफसोस जाहिर किया था कि ८ नम्बर ड्रेन में पानी आता है और जहाजगढ़ की झील में भर जाता है । लेकिन आपको मालूम होना चाहिए कि वे लोग ८ नम्बर नाले को दिल्ली के बारडर में लाना चाहते थे । दिल्ली की परेशानी यह है कि वह पंजाब के कैनाल सिस्टम के नीचे है । इसलिए जब हम पानी चाहते हैं तो हमको पानी नहीं मिलता और सारा पानी पंजाब के लोग इस्तेमाल कर लेते हैं, और जब हम पानी नहीं चाहते तो सारी बाढ़ को यहां भेज देते हैं । टेबिल लैंड पर होने से दिल्ली की यह मुसीबत है ।

उपाध्यक्ष महोदय : जब वह देते हैं तब आप लेते नहीं, तो जब आप चाहते हैं उस वक्त वह क्यों दें ।

श्री च० कृ० नायर : जब हम नहीं चाहते हैं तो देते हैं और जब हम चाहते हैं तो नहीं देते ।

दूसरी बात नजफगढ़ के नाले के बारे में यह है कि जब नजफगढ़ की झील भर जाती है तो नजफगढ़ के नाले में पानी आता है । इससे दिल्ली को खतरा पैदा हो जाता है । अगर ८ नम्बर नाले को ६ नम्बर नाले में छोड़ा जाता है तो वह पानी भी दिल्ली में आता है और उससे दिल्ली के लिए खतरा पैदा होता । गुड़गांव और बादशाहपुर के नाले टूट कर दिल्ली में आकर गिरते हैं । इसलिए नजफगढ़ का नाला हमारे लिए एक बड़ी समस्या बना हुआ है ।

मैं शुक्रिया अदा करूंगा फ्लेड कंट्रोल बोर्ड का कि उन्होंने बहुत अच्छी स्कीम बनायी । उनकी पौने दो करोड़ रुपए की स्कीम है जिससे कि इस नाले को ज्यादा गहरा किया जाएगा और ज्यादा चौड़ा किया जाएगा ताकि पानी झील में भरने के पहले ही जमुना में चला जाए । आजकल ऐसा नहीं होता क्योंकि नाले की गहराई कम है और लेविल भी स्लेपदार नहीं है । इसके कारण वर्षा के समय फैक्टरी एरिया से लेकर सारा पानी झील की तरफ बह जाता है, इसी प्रकार सोनी पत से जितना पानी आता है वह झील की तरफ जाता है, मंगसपुर की तरफ से जो पानी आता है वह झील की तरफ जाता है, जहाजगढ़ और बादशाहपुर की तरफ से जो पानी आता है वह भी झील की तरफ जाता है । कैंटोनमेंट का पानी झील की तरफ जाता है । इसका कारण यह है कि वहां एक अजीब किस्म की बनावट है ।

उपाध्यक्ष महोदय : आपको पांच मिनट हो गए ।

श्री च० कृ० नायर : अभी पांच मिनट नहीं हुए ।

हमारे इंजीनियरों ने बहुत स्टडी करके यह फैसला किया है कि इस झील को ज्यादा गहरा कर दिया जाए । लेकिन उस फैसले के बाद वह काम सेंट्रल पी० डब्ल्यू० डी० को दे दिया गया । मैंने हमेशा इस नजफगढ़ नाले के बारे में कहा है कि इसकी जिम्मेवारी किसी एक डिपार्टमेंट पर फिक्स नहीं है । इस वजह से सेंट्रल वाटर पावर कमीशन ने उसको सेंट्रल पी० डब्ल्यू० डी० पर छोड़ दिया ।

उपाध्यक्ष महोदय : जब पांच मिनट हो जाएंगे तो मेम्बर साहब मुझे बतलाएंगे ?

श्री च० कृ० नायर : उनकी देरी की वजह से जो काम पांच साल पहले शुरू किया गया था उसको अभी तक पूरा नहीं किया जा सका ।

उपाध्यक्ष महोदय : इस तरह तो आपका पांच मिनट कभी खत्म नहीं होगा ।

श्री च० कृ० नायर : मैंने पांच मिनट नहीं मांगा था, बल्कि दस मिनट मांगा था

क्योंकि जो आरोप चौधरी रणवीर सिंह ने दिल्ली के मेम्बरों पर लगाया है उसका मुझे जवाब देना है ।

उपाध्यक्ष महोदय : तो थोड़ी देर ठहरिए, मैं कुर्सी खाली करके जाता हूं, फिर आप दस मिनट ले लें ।

श्री च० कु० नायर : मैं दो मिनट और लूंगा ।

चौधरी रणबीर सिंह ने जो लाछन लगाया वह बिल्कुल गलत है । आठ नम्बर ड्रेन को वह ६ नम्बर ड्रेन में डाल कर लो लाइंग एरिया से लाकर जमुना में डालना चाहते थे । इस पर हमने प्रोटेस्ट किया । हमारी कोई बजारत तो है नहीं इसलिए हम सेंटर के मिनिस्टरों के पास जाते हैं, उनको यह भी खटकता है । और हम कहां जाएं । हम प्राइम मिनिस्टर के पास जा सकते हैं और इरिगेशन मिनिस्टर के पास जा सकते हैं । तो हमने जाकर कनविंसिंग प्रूफ दिया कि जो एलाइनमेंट पंजाब इरिगेशन डिपार्टमेंट ने दिया है वह गलत है और इसको डा० खोसला ने भी मान लिया । उन्होंने कहा कि नीचे से नहीं जाना चाहिए, ऊपर से जाना चाहिए फूल प्रूफ एलाइनमेंट वह है । सिर्फ चार मील ऊपर ले जाने की बात थी । लेकिन उसको पंजाब गवर्नमेंट इसलिए नहीं मानी कि वे कहते हैं कि उसमें उनको जमीन एक्वायर करनी होगी और भी कुछ दिक्कतें हैं । लेकिन ये छोटी छोटी बातें हैं, अगर पंजाब गवर्नमेंट चाहे तो ड्रेन नम्बर ८ को रसोई गांव लेजाकर सीधा जमुना में डाल सकती है जिससे दिल्ली भी बच जाएगी और पंजाब भी बच जाएगा ।

श्री रघुनाथ सिंह । उपाध्यक्ष महोदय, पंजाब का, राजस्थान का, मध्य प्रदेश का और उत्तर प्रदेश का बाढ़ का सारा पानी मेरे शहर से होकर जाता है और उस सारी बाढ़ का असर हम पर पड़ता है ।

मैं यह कहना चाहता हूं कि हमारे यहां जो घाट हैं उस समय के बने हुए हैं जब देशी रियासतें थीं, ताल्लुकदारियां थीं । बड़े बड़े लोगों ने उन घाटों को बनवाया था । बहुत से घाट राजाओं और ताल्लुकदारों के नाम से प्रसिद्ध हैं । इनमें मुसलमानों ने भी कई घाट बनवाये हैं । लेकिन जब से आजादी मिली है तब से इन घाटों की स्थिति पर कोई ध्यान नहीं दिया जा रहा है । अब कोई राजा नवाब तो है नहीं । ये घाट हिन्दुओं ने, मुसलमानों ने सबने बनवाए थे, लेकिन जब से आजादी मिली है तब से इन घाटों की मरम्मत तक नहीं हो रही है । जब गवर्नमेंट ने सब स्टेट्स को मर्ज करके एक राष्ट्र बनाया है, तो उसके साथ इन घाटों की जिम्मेदारी भी गवर्नमेंट पर ही है । अगर इन घाटों की तरफ ध्यान नहीं दिया जाएगा, उनकी मरम्मत का इन्तजाम नहीं किया जायगा, तो मेरे शहर के पांच लाख आदमियों का सत्यानाश हो जायगा, उनका घर बिगड़ जायगा ।

हमको टूरिस्ट्स से बीस करोड़ रुपये की आमदनी होती है और हर एक टूरिस्ट बनारस में जाता है । उस आमदनी को मद्देनजर रख कर सरकार का यह फर्ज है कि वह इन घाटों की रक्षा करे, क्योंकि जिन स्टेट्स से इन घाटों के बनाने और इनकी मरम्मत करने का खर्च आता था, उनको सरकार ने ले लिया है और उनकी आमदनी भी उसने ले ली है । सिलाजा मैं प्रार्थना करना चाहता हूं कि सरकार इन घाटों की जिम्मेदारी अपने ऊपर ले, वह इन घाटों को बनवाये और इनकी मरम्मत करवाये ।

सरकार की ओर से जो थोड़ा सा रुपया दिया गया है, उससे घाटों की मरम्मत नहीं हो सकती है । जो रुपया दिया गया है, वह स्टेट गवर्नमेंट को दिया गया है । उसने तीन चार घाट बनाये, लेकिन जितने घाट थे, वे तीन बरस में टूट गये । ऐसा इन्तजाम नहीं होना चाहिए । सेंट्रल गवर्नमेंट जो

[श्री रघुनाथ सिंह]

रुपया देती है उसका खर्च किस तरह से होता है, यह देखने की जिम्मेदारी भी इस गवर्नमेंट पर ही है। इन घाटों की तरक्की के लिए सैंट्रल गवर्नमेंट और स्टेट गवर्नमेंट को आपस में मिल कर ऐसी कोई योजना बनानी चाहिए, जिसके अन्तर्गत इस रुपये का ठीक तरह से उपयोग हो और ये घाट कायम रहें। मैं निवेदन करना चाहता हूं कि ये घाट हिन्दुस्तान की श्री और गौरव हैं और उनसे हिन्दुस्तान की तरक्की हो सकती है, खास तौर पर जब कि टूरिस्ट्स यहां पर आते हैं।

Shri N. B. Malti (Ghatal): Mr. Deputy-Speaker, I want to make only three points. Firstly, considering that a loss of about Rs. 100 crores has been sustained this year, and also considering the fact that for several years past we have been suffering from floods and a loss of hundreds of crores have been incurred in that way, I think that for anti-flood measures substantial amount of money should be provided, and certainly more than the Rs. 61 crores that have been provided in the Third Plan. If you provide Rs. 61 crores for five years, it comes to about Rs. 12 crores a year. Therefore, my first point is that the provision for anti-flood measures should be much more than that provided in the Third Plan.

Secondly, the implementation of the programme of anti-flood measures should be taken due care of, certainly, much more care should be taken than is done today. It is an unfortunate matter and, before I come to the third point, I would like to refer to the following points, and they are contour bunding, check tests, afforestation, soil conservation, water logging and drainage. They should be given much more attention than they are given today. It is, of course, right and proper that these things have been mentioned in the Third Plan But much more is required and they should be implemented more closely and more attentively.

Thirdly, there should be a close watch on the projects that have already been taken in hand by the Ministry.

18.44 hrs.

[MR. SPEAKER *in the Chair*]

Take, for instance, the DVC. It is unfortunate that in 1959 when there was so much of rainfall and when there was so much of flood waters in the rivers, at that time the DVC thought it fit to flood the country with their water also.

They could have allowed the waters to flow down a little earlier when there was need for water. But they did not take timely precaution for that. This year when there is scarcity of water they have thought it fit to give as little water as they could. But, suppose, in the month of October sometimes there is a large amount of rainfall and floods occur and if the DVC thinks fit that much more water should be discharged because there might be some breakdown, there would be greater floods. Therefore my third point is that much closer attention should be given to the working of the anti-flood projects that are taken up.

These are my three points.

श्री बिजनाथ राय (सलेमपुर) : माननीय अध्यक्ष महोदय, बाढ़ नियंत्रण कार्यक्रम की सफलताओं या असफलताओं का वर्णन करने के बजाय मैं सरकार का ध्यान इस बात की तरफ आकर्षित करना चाहता हूं कि पूना, रोहतक या बुलन्दशहर की जगहों की जिस भयंकरता का वर्णन किया गया है, उससे कई गुना, करीब सौ

गुना क्षति होती है हिन्दुस्तान के उस हिस्से में, जिसको उत्तर प्रदेश कहते हैं । मेरा ख्याल है कि जिस तरह से उत्तर प्रदेश की उपेक्षा उद्योग-धंधों के विषय में की जाती है, उसी तरह से बाढ़ नियंत्रण के सम्बन्ध में भी हमारी उपेक्षा होती है । सम्भव है कि सरकार यह समझती है कि उत्तर प्रदेश के और विशेष कर पूर्वी उत्तर प्रदेश के लोग हर साल बाढ़ आने के करण इसके आदी हो गये हैं और उनको दुःख झेलने की आदत हो गई है । लेकिन इसके साथ ही साथ इस बात को स्मरण रखना चाहिए कि हर साल जो सौ करोड़ रुपये की क्षति बाढ़ों के कारण होती है, उसमें उत्तर प्रदेश का बहुत बड़ा हिस्सा होता है ।

इस दिशा में छोटी छोटी नदियों की बात छोड़ कर मैं उन तीन भयंकर नदियों का जिक्र करना चाहता हूं, जिनकी चर्चा अभी हो चुकी है । वे नदियां हैं, बड़ी गंडक, जिसका सम्बन्ध केवल उत्तर प्रदेश से ही नहीं है, बल्कि बिहार से भी है, घाघरा और राप्ती । अभी यहां पर १९५४ की बाढ़ की बातचीत हो रही थी । उससे पहले ही उत्तर प्रदेश सरकार ने अपने साधनों से छितौनी बांध बनवाया था, जिससे नदी की धारा करीब दस पन्द्रह मील तक बदलने से, उत्तर प्रदेश का और विशेषकर देवरिया जिले का जो नुकसान होता था, उस को नियंत्रण करने में उत्तर प्रदेश की सरकार सफल हुई है । लेकिन वह आज तक आगे नहीं बढ़ सकी है । उत्तर प्रदेश और भारत की सीमा का जहां पर अन्त होता है, वहां नेपाल प्रारम्भ होता है । मैं माननीय मंत्री महोदय से विशेष आग्रह करूंगा कि चूंकि इस विषय में नेपाल सरकार का भी सम्बन्ध है, इसलिये केवल उत्तर प्रदेश सरकार के प्रयास से काम नहीं चलेगा, बल्कि इसमें भारत सरकार को अपनी ओर से कदम उठा कर सहायता और सहयोग देना होगा, ताकि छितौनी बांध का जो आठ मील का काम बाकी रहता है, वह पूरा किया जा सके । बड़ी गंडक का पानी घूम कर राप्ती तक और अन्य नदियों तक जाता है और कई नदियों को प्रभावित करता है, जिससे बड़ी क्षति होती है । यह केवल आठ मील का काम रह गया है और उसको केन्द्रीय सरकार को करना चाहिए ।

जहां तक घाघरा को घेरने का सम्बन्ध था, उत्तर प्रदेश सरकार उसमें सफल हुई है, लेकिन रेलवे को बचाने का काम केन्द्रीय सरकार का है और वह उत्तर प्रदेश सरकार के हाथ में नहीं है । इसलिये उत्तर प्रदेश सरकार को छितौनी बांध की रक्षा करने और मरम्मत करने में सहायता करनी चाहिए ।

मैं सरकार को याद दिलाना चाहता हूं कि प्रथम पंच वर्षीय योजना में घाघरा के कटाव के कारण देवरिया जिले के एक बहुत बड़े कस्बे बरहज की रक्षा के लिये कुछ लाख रुपये मंजूर किये गये थे । पहली और दूसरी पंच वर्षीय योजनायें समाप्त हो गईं और तीसरी योजना अब शुरू हो रही है, लेकिन उस कस्बे की रक्षा के लिये निश्चित रुपया न जाने कहां चला गया और योजना क्यों खत्म कर दी गई । उस पर तुरन्त काम होना चाहिए । मैं अभी अपने जिले से लौटा हूं । मालूम होता है कि अगर कटाव इसी तरह जारी रह गया, तो उस जिले का एक बहुत बड़ा कस्बा बरबाद हो जायगा और नदी की धारा बिल्कुल दूसरी तरफ घूम जायगी । प्रश्न यह है कि प्रकृति के इस कोप को कैसे रोका जायगा । यह एक मानी हुई बात है कि भारत में अभी प्रकृति पर काबू पाने के साधन नहीं हैं और इस सम्बन्ध में जो कुछ सम्भव हो सकता है, वह असम्भव जान पड़ता है, लेकिन यह आवश्यक है कि इस भयंकर नदी के बैड को गहरा किया जाय और उसकी मिट्टी को अगल-बगल फेंकने से जो गहराई हो जायगी, उसके परिणामस्वरूप जो पानी वह बाहर की तरफ किनारों पर जाता है, उसको नियंत्रित किया जा सकता है । इस तरह की मास्टर प्लान की या कोई और बातें हुई हैं, कितनी ही तरह की चर्चायें

[श्री विश्वा नाथ राय]

चलती रही हैं। मास्टर प्लैन तो दूसरी पंचवर्षीय योजना से ही चल रही है, लेकिन घाघरा और बड़ी गंडक के बारे में कोई ऐसी बात नहीं आई जिससे यह आशा हो कि जो लाखों एकड़ नहीं, सैकड़ों मील की बरबादी हुई है उस को काबू में किया जायेगा। कभी कभी यह बात कही जाती है, अभी पार साल ही यह चर्चा हुई थी, कि बड़ी गंडक की जो योजना है उसके कार्यान्वित होने के बाद शायद धारा को कंट्रोल करने में बड़ी सहायता मिले, लेकिन उस योजना में कुछ नहीं हुआ है। छोटे मोटे काम हुए हैं, लेकिन जो असली बैराज का काम है उस में देर हो रही है। ऐसी हालत में जो तात्कालिक काम है वह यह कि बिना सूद के तकावी दी जाय बाढ़ पीड़ित क्षेत्रों में। साथ ही साथ गांवों को ऊंचा करने की योजना जो थी वह भी एक या दो साल से बन्द पड़ी है। उसको चालू करके न केवल गांवों को ऊंचा करने की बात हो बल्कि उनको पक्का करने की योजना चले। शहरों में ही पक्के मकान बनाने की योजना न चले, बल्कि विशेष ध्यान बाढ़ पीड़ित क्षेत्रों की ओर दीजिये। शहरों को साफ करने की बात होती है, लोगों के लिये अच्छे मकानों की बात होती है, लेकिन जो लोग आज भी पड़ों पर रहते हैं उनकी ओर कोई ध्यान नहीं देता। देश में बहुतेरे ऐसे गांव हैं जहां के निवासी अपनी रक्षा के लिये कई कई घंटों तक, कई कई दिन तक पेड़ों पर जाकर रहते हैं। आप इस तरह के स्थानों की ओर ध्यान दीजिये। गांवों में ऐसे मकान बनवाइये जो पानी के आते ही गिर न जायें क्योंकि इससे उनकी बड़ी क्षति होती है। तकावी, गांवों को ऊंचा करने और मकानों की योजनायें ऐसी बातें हैं जिनके सम्बन्ध में तात्कालिक कदम उठाये जा सकते हैं। मैं कहना चाहता हूं कि बड़ी बड़ी योजनायें हैं, देश के लिये मास्टर प्लैन हैं नदियों की बाढ़ों पर नियंत्रण करने के सम्बन्ध में। वे कब तक पूरी होंगी, इस का पता नहीं। उनमें अभी बहुत देर है, लेकिन इन छोटी छोटी बातों के लिये तुरन्त केन्द्र से सहायता दी जाय।

कुछ दिनों पहले पहली पंच वर्षीय योजना के सम्बन्ध में सरकार ने एक नीति घोषित की थी कि यदि २ करोड़ या उससे ऊपर प्रादेशिक सरकारें व्यय करें तो लगभग ५० प्रतिशत उसमें केन्द्रीय सरकार देगी। मैं चाहता हूं कि यह केवल सूखा के लिये ही न हो, बाढ़ के लिये भी हो। हम लोग जानते हैं कि विशेषकर उत्तर प्रदेश और उत्तरी बिहार में प्रलयंकारी बाढ़ होती है। इसलिये जैसे आपने स्कूलों के लिये और दूसरे कामों के लिये रुपया सुरक्षित किया है, उसी तरह इस सम्बन्ध में भी किया जाय। बाढ़ नियंत्रण के साथ साथ यह जो कंस्ट्रक्टिव अर्थात् रचनात्मक कार्य हैं उनके लिये आप रुपया निर्धारित करें, ऐसे स्थायी कोष इसके लिये बनायें जो आपके बजट में हों, आपके कार्यक्रम में हों। कार्यक्रम में न सिर्फ यह हो कि प्लैन शुरू हो, बल्कि ठीक से काम शुरू हो। अब हमें यह देखना चाहिये कि प्रति वर्ष हम कितने आगे बढ़ते जायेंगे। इसलिये हर साल के लिये योजना बननी चाहिए जिससे मालूम हो कि हम आगे बढ़ते जा रहे हैं। दो तीन साल पहले प्रगति तेज थी, लेकिन इधर दो तीन सालों से वह कुछ धीमी पड़ गई है। जो उत्तर प्रदेश के पूर्वी जिले हैं उन में से दो तीन को मैं जानता हूं। वहां हर साल भयंकर बाढ़ आती है। वहां पर जो प्रगति चल रही थी गांवों की रक्षा के सम्बन्ध में वह कुछ धीमी पड़ गई है। इस चीज को दूर करना चाहिये। आज जो राष्ट्रीय हानि हो रही है उसको हमें कम करना है, लेकिन उससे रक्षा के लिये उतना सक्रिय प्रयास नहीं हो रहा है जो दो तीन साल पहले था। इस दिशा में ध्यान दिया जाना चाहिये और तात्कालिक सहायता के रूप में प्रादेशिक सरकारों को, विशेषकर उत्तर प्रदेश की सरकार को धन देकर जनता की रक्षा करनी चाहिये।

Mr. Speaker: Now, Shri K. S. Ramaswamy.

Shri Chintamoni Panigrahi: May I submit that the hon. Minister may reply tomorrow?

Mr. Speaker: I understand that he is going away tomorrow. Anyhow, let Shri K. S. Ramaswamy finish in five minutes. Then, let us see.

Shri K. S. Ramaswamy (Gobichettipalayam): During this year, there were heavy floods in the Cauvery and the Bhavani in my State. Though they were not of such a high magnitude as in the Ganges or the Brahmaputra, they had caused a lot of damage to thousands of acres of land with standing crops; thousands of people have lost their huts, and they were rendered homeless. The Madras Government have estimated that the loss is about a crore of rupees. The other day, I read a news item in the *Dinamani* that an adviser to the Planning Commission had stated that the Centre would not give aid to those States which had not lost more than Rs. 1 crore. I hope that it is not true. I would request the hon. Minister to clarify the position.

There are certain suggestions which I would like to make to check these floods. The first is that the Mettur Dam should be raised so as to allow storage of water at safe level up to 130 feet; at present, the storage level for water is about 124 feet. If the dam is raised, then the storage of water up to 130 feet level can be made easy.

My second suggestion is the same as what Shri Narasimhan made the other day, namely that a dam should be built across the Cauvery just above Mettur. Regarding the Bhavani, the Lower Bhavani Dam is there already. There is a proposal for the Upper Bhavani Dam just above the Lower Bhavani. That also must be constructed not only in order to control floods but also to irrigate the most dry areas in the taluks of Gobi, Avinashi and Erode.

I would like to point out here that when we had floods in our State, except in the Nilgiris district, there was no rain anywhere else in the State. The rains were there only in the Nilgiris district and in parts of Mysore State. Most of the places in Madras were dry. There was not even water for the standing crops in those places. So, my suggestion is that we should construct more tanks just by the side of the present rivers and canals. They should be fed once in a year during the floods by small channels constructed for the purpose of filling those tanks.

In the Coleroon in Tiruchirappalli district, the embankments should be raised so that in the future at least, we shall be able to control the floods with these embankments. Now, most of the people have lost their huts. I feel that Government can encourage the rural co-operative housing construction scheme, which will benefit a large number of people there. In places like Bombay, the LIC is giving grants for the construction of low income group houses; if some such thing is done here also, it will give a permanent remedy to these people.

There is a lot of trouble in regard to the inter-State rivers. I do not know when it will be solved. I want that some time-limit should be fixed within which this problem should be settled. A commission should be appointed at the all-India level; at least in the Third Five Year Plan period, they must settle this problem. Then only the States will be able to evolve methods, long-term as well as short-term to control these floods.

In Andhra Pradesh, there are two big rivers, namely the Godavari and the Krishna. Heavy floods occur in these rivers every year. Some of this water can be diverted to the Madras State, so that the Chingleput and North Arcot districts which are very dry can be irrigated with the same.

In the Madras State, the State Government have proposed to prepare

[Shri K. S. Ramaswamy]

a flood manual, prescribing the methods of dealing with the different kinds of floods and cyclones in the different areas in the State. This can be adopted in other States also. The Minister has also said that flood-fighting exercises based on flood rehearsals should be organised annually so as to keep trained flood control personnel who can be used at the time of emergencies.

I hope these things will be looked into, and the Madras State will be helped by the Centre to a great extent with loans as well as grants.

19 hrs.

The Minister of Irrigation and Power (Hafiz Mohammad Ibrahim): I heard the speeches made during the discussion the day before yesterday and this afternoon. I collected large material to meet so many points raised, but unfortunately now there is no time to go into these matters and to say anything in detail. I will confine myself to a very few points, and make a very brief reply to them.

My hon. friends of U.P. said something about the recent floods which occurred there, and also something about a scheme which was considered long ago and which has not so far been taken up there. In reply to them I will say only one thing. I am here, they are here, they may come to me, we can sit together and talk about all these matters, and whatever action is deemed fit and required in that connection I will take. My every service is at their disposal which can be availed of any time for the purpose.

Shri S. L. Saksena: When do you come to Gorakhpur?

Hafiz Mohammad Ibrahim. I am going tomorrow morning.

Shri A. M. Tariq (Jammu and Kashmir): But you can meet him here.

Hafiz Mohammad Ibrahim: I am going to see the flood there.

Shri Jagdish Awasthi: See Kanpur also.

Shri S. M. Banerjee: Kanpur and Lucknow.

Hafiz Mohammad Ibrahim: Hirakud was mentioned. I do not know if the hon. Member is here.

An Hon. Member: He is here.

Hafiz Mohammad Ibrahim: It is at present too well known not only in Government circles but the public also, that since last year a committee has been looking into this matter as to what should be the flood cushion in regard to this dam. The old story which is being relied upon probably is a discarded theory, and that should not be believed by any one. They should know that *de novo* it is being sought to be ascertained what will be the proper flood cushion to be provided as far as this particular dam is concerned. That is the final thing which I say about this matter.

About the Tikarpara dam also something was said. About that I cannot say anything except this that it is already with the Central Water and Power Commission.

Shri Chintamoni Panigrahi: Sir, it will be better if he replies tomorrow, because he replies in just one line to every important point.

Shri A. M. Tariq: If he condenses his reply in one line, what objection have you got?

Mr. Speaker: The point is that tomorrow we have another discussion for two hours on agricultural labour, and there is a half-hour discussion. On the other points that the hon. Minister cannot deal with now, he will make a statement and lay it on the Table of the House.

Shri A. M. Tariq: We had a half-hour discussion today. That has been postponed.

Mr. Speaker: Hon. Members are anxious to have the cake and eat it too. They are anxious that I should have as many discussions as possible. I have put down two discussions each week. Why are they impatient? Tomorrow, there is another discussion, otherwise I would have adjourned it. The hon. Minister will reply as best as he can now, and in regard to the points not covered by the reply now, he will lay a statement on the Table of the House.

Hafiz Mohammad Ibrahim: As far as Mysore is concerned, about which also something was said, I felt the hon. Members who spoke about Mysore were making a sort of complaint that it was being neglected. That is not the case at all. Mysore, probably, is the State which might have been visited by any flood very seldom. In its previous history there is nothing on account of which it could be considered by anyone as also a place where the same sort of attention should be paid as has been paid to the areas where the floods are very frequent. But, at the same time, as something has occurred this year.

Shri Basappa: The Minister in the Mysore State has stated that for the past 5 or 6 years these floods have been coming.

Hafiz Mohammad Ibrahim: If the hon. Member hears me patiently, I think, he will be satisfied. I will satisfy him more than himself. I was going to say that so far as the State of Mysore is concerned, I will bring to the notice of the Government of Mysore what has been said here and will place at their disposal my humble services. They may make out schemes and submit to the Centre and they will be looked into and will get the same consideration which other such schemes are having. There should be no anxiety about that.

My hon. friend was speaking about Drains Nos. 6 and 8. These two drains are very well-known. My friend who spoke about them knows it very well. Since two or three months I took up this matter personally in my own hands. I have been looking into it and I was the person who requested Shri Khosla to do what he did about it. But, unfortunately, the final result has not so far been arrived at. It will be arrived at very soon. It is my wish and it is the desire of everyone that nothing should be done which should adversely affect the villages or any portion of Delhi. I think it should be satisfactory to everyone and there should be no anxiety. Nothing more is required in that connection. (*Interruptions*).

So far Madras was deemed to be a State immune from floods. Now, things have taken a new turn. (*Interruptions*). Hon. Members need not be impatient. If this thing has started there it is impossible that Government will not take notice of it and will not be anxious to give the same treatment to that State also as is being given to others. There is no enmity between Madras and the Centre. All States are parts and parcels of one and the same country. So, Madras State also will be considered.

Shri Assar: What about Poona?

Hafiz Mohammad Ibrahim: About Poona there was a question and I said in this House in reply that the Poona matter has been referred to a Commission which has been set up by the Chief Minister of Maharashtra. So, my tongue and the tongue of that Chief Minister are tied. Nobody can say anything till the report of that Commission is before us. Therefore, I wish to be excused if I say nothing about that.

Shri Assar: I want a piece of information. Is the Chief Engineer who advised the Maharashtra Government to construct the dam one year earlier going to be a witness there?

Shri A. M. Tariq: That is also before the Commission.

Hafiz Mohammad Ibrahim: That thing also forms part of the enquiry; therefore, we cannot say anything about that as well.

Shri Assar: I want to know whether he is going to be a witness or not... (*Interruptions*).

Mr. Speaker: It seems that hon. Members are all satisfied. Shall I adjourn the House then? They are behaving like children. Hon. Members go on interrupting.

Shri S. M. Banerjee: I am not interreputing, Sir.

Mr. Speaker: Yes, he is interrupting; they are talking to one another. What is this? It is a serious matter. I allowed this discussion, not for one day but for two days. But the hon. Members are impatient. The hon. Minister is very conciliatory and he is trying to do his best. Why do they not hear him patiently?

Shri Chintamoni Panigrahi: My submission is this, Sir. Is the hon. Minister doing justice to such an important problem?

Mr. Speaker: Thoroughly so.

Shri Chintamoni Panigrahi: Because of the seriousness of the situation, you allowed two days for this discussion.

Mr. Speaker: One hon. Minister intervened in the debate; whatever remains is being answered by the other hon. Minister; he is answering. So far as Mysore is concerned, he dealt with it and Mysore Members are satisfied.

Shri Dasappa (Bangalore): Thoroughly satisfied.

Shri Chintamoni Panigrahi: My points have never been answered.

Mr. Speaker: He has referred to Madras; Madras hon. Members are satisfied. He referred to Delhi; Shri Krishnan Nair is satisfied. If Shri Panigrahi is not satisfied, what can be done? Has he completed his observations regarding Orissa?

Shri Chintamoni Panigrahi: He said one word.

Hafiz Mohammad Ibrahim: What is the point of dissatisfaction? What do you want?

Shri Chintamoni Panigrahi: I have not spoken about Orissa alone. I wanted to know whether the flood control board has recommended so many things and whether the State Governments and more specially the Orissa Government have implemented any of those recommendations.

Shri Dasappa: The hon. Speaker has been pleased to say that whatever has not been answered, will be answered in the Statement. He will place a statement on the Table of the House. What more do you want?

Mr. Speaker: There should not be this kind of interruptions and this kind of impatience. I am giving any amount of indulgence but I am afraid hon. Members do not understand me in the proper spirit. I will not show them any indulgence in future. This seems to be a regular play here. Is it not a serious matter? The hon. Minister may go on in his own way.

Hafiz Mohammad Ibrahim: I may finish?

Mr. Speaker: He may finish or he may not finish.

Hafiz Mohammad Ibrahim: I have finished.

19.14 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, August 31, 1961/Bhadra 9, 1883 (Saka).

[*Wednesday, August, 30 1961/Bhadra 8, 1883 (Saka)*]

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1097	Manufacture of Destroyers	5768

U.S.Q. No.		
2752	Amendment of Sea Customs Act	5768-69
2753	Ex-servicemen Association, Kapurthala	57[illegible]

WRITTEN ANSWERS TO QUESTIONS—*contd.*

U.S.Q. No.	*Subject*	COLUMNS
2754	State Social Welfare Advisory Boards	5769–70
2755	Indians holding assets in foreign countries	4770
2756	History of Freedom Movement in Indian	5771
2757	Hindi Encyclopaedia	5771–72
2758	Coal Council	5772–73
2759	Ex-servicemen in Maharashtra	5773
2760	Lok Sahayak Sena	5773
2761	Junior Technical Schools in Maharashtra	5773–74
2762	Geological Surveys in Madhya Pradesh	5774
2763	Underground mines of Korba coal-fields	5774–75
2764	Shortage of soft coke in Maharashtra	5775
2765	Pakistanis in U.P.	5776
2767	Colonies for S. C. and S. T. in Punjab	5776–77
2768	Central Schemes for the Welfare of S. C. and S.T.	5777
2769	Secondary education in Punjab	5777 78
2770	Post-Graduate Research in Russia by Indians	5778
2771	Compilation of Hindi Dictionary for children	5779
2772	Use of Hindi in H.P. Administration	5779–80
2773	"Sanskrit Pratibha"	5780–81
2774	Results of General Elections	5781
2775	Rules of Conduct for Policemen	5781 82
2776	Gifts to Government employees	5782
2777	Work in Hindi	5782–83
2778	Visiting foreign nationals	5783
2779	Temporary Hindi-knowing employees	5783–84
2780	Fishing vessels	5784
2781	Roads in snow-bound areas of Ladakh	5784
2782	Compilation of Dictionary for children in Bengali	5785
2783	Discovery of oil in Punjab	5785
2784	Collection of Central Taxes and duties from States	5785–86
2785	Collection of Import and Export Duties	5786
2786	Scheduled Castes in Manipur	5786
2787	Scheduled Castes Welfare in Manipur	5786–87
2788	Hire-purchase in India	5787
2789	International Students House, New Delhi	5787
2790	Durgapur township	5788
2791	Survey of oil in Gulf of Cambay	5788–89
2792	Staff cars	5789
2793	Museum in Leh	5790
2794	Mints at Hyderabad	5790
2795	Education of the mentally deficient children	5790
2796	Mining Projects in Kashmir	5791
2797	Gang of Sales Tax evaders	5791
2798	Educational facilites in Delhi	5791–92
2799	Implementation of Pay Commission's Recommendations	5792
2800	Central Civil Services Rules	5792–93
2801	Manganese mines in M.P.	5793
2802	Security Paper Mill, Hoshangabad.	5794
2803	Sales tax on steel	5794
2804	Disparity in industrial establishmetns	5794–95
2805	Aligarh Muslim University Enquiry Report	5795
2806	Novel 'Night Runners of Bengal'	5795
2807	Central Bureau for Correctional Services in Delhi	5796
2808	Army Workshop, Kirkee	5796
2809	Strike by defence employees	5796–97
2810	Anna and Pice coins	6797–98
2811	State Bank of India	5798
2812	Charter of planes by V.I. Ps.	5798–99
2813	Savings by the people	5799
2814	Quarters for women teachers in rural areas	5800
2815	Sample Survey of Health of students	5800–01

WRITTEN ANSWERS TO QUESTIONS—*contd.*

U.S.Q. No.	*Subject*	COLUMNS
2816	L.I.C. investments in foreign countries	5801–02
2817	P.L. 480 Funds	5802
2818	Rupee payments to foreign countries	5802
2819	Science teachers	5803
2820	Talks with 'Aid India Club'	5803
2821	Elections in Orissa	5804
2822	Conference of State Education Department Secretaries	5805
2823	Jhumias in Tripura	5805–06
2824	D.M. College, Manipur	5806
2825	Chini-ka-Roza at Agra	5806
2826	Steel allotment	5807
2827	Extradition of Indian boy	5807–08
2828	Manufacture of tanks	5808–09
2829	Delhi Canit employees	5809–10
2830	Border Defence Committee	5810
2831	Conference on Development of education in Africa	5811–12
2832	Dowry Prohibition Act, 1961	5812–13
2833	List of National Monuments	5813
2834	Bilingual Charts	5814
2835	Census Report in Hindi	5814
2836	Publication of books for children	5815
2837	Use of Hindi	5815
2838	Education Minister's visit to Pakistan	5815–16
2839	Aids to Backward class students	5816–17
2840	Capitation fees	5817
2841	Scholarships for study in Indian Military Academy, Dehra Dun	5817–18
2842	Asoka-Pillars in Champaran district	5818
2843	Revision of Passengers' Baggage Rules	5818–19
2844	Explosion in Khanpur village near Delhi	5819–20
2845	Sulphur from sea	5820
2846	Board of Visitors	5820–21
2847	Assam tribals	5821–22
2848	Denotified tribes in Punjab	5822
2849	Defence of Himalayan border	5822
2850	Unclaimed money in Indian Banks	5823
2851	I.A.F. Dakota crash in Congo	5823–24

WRITTEN ANSWERS TO QUESTIONS—*contd.*

U.S.Q. No.	*Subject*	COLUMNS
2853	Reginal Engineering College Rourkela	5824
2853	National Physical Efficiency Drive	5824—26
2854	Delhi Municipal Corporation	5827
2855	Jammu and Kashmir	5827
856	Khas land in Tripura	5828
2857	Interest on World Bank loan	5828–29
2858	Grants to Utkal University	5829
2859	Cases instituted in Delhi Courts against Delhi Administration	5829–30
2860	Ex-servicemen in Punjab	5830
2861	Murders in Delhi	5830
2862	Bhutanese students in India	5831
2863	Collections in Ferozepore under Small Savings Scheme	5831
2864	Entrance fee at Red Fort, Delhi	5831–32
2865	Development of Lahaul and Spiti	5832
2866	Coal for Small Scale Industries in Punjab	5832–33
2867	International Conference of Orientalists in Delhi	5833–34
2868	Women Trainees Mountaineering Courses	5834
2869	Setting up of more colleges in Delhi	5834–35
2870	Asian Historians' Conference in Delhi	5835
2871	Discovery of Images near Bhavnagar	5836
2872	Retirement of Military Secretary in Army H.Q.	5836
2873	Commonwealth Advisory Committee on Defence Science at London	5836–37
2874	C.H.S. scheme for employees of Oil and National Gas Commission	5837–38
2875	Sahitya Akademi Journals in Hindi	5838
2876	Staff quarters for Income-tax employees at Cuttack	5838–39
2877	Students Homes, Clubs and Health Centres	5839
2878	Funds for the welfare of S.C. in Orissa	3839–40
2879	Export of iron scrap	
2880	Kufri Skiing Club	5840

WRITTEN ANSWERS TO QUESTIONS—*contd.*

U.S.Q. No.	*Subject*	COLUMNS
2881	Conveyance Allowance	5841-42
2882	U.P.S.C. Examinations	5842-43
2883	Circular re: Gross Misbehaviour	5843
2884	C. S. I. R.	5843-44
2885	Facilitiesin villages of Shrinagar etc.	58444
2886	Students of Tripura Community	5844-45
2887	Cr. P.C.in J.&K.	5845
2888	Land Revenuein Tripura	5845-46
2889	Army Medical Corps	5846-47
2890	Ban on wearing of Uniform in Manipur	5847
2891	Use of Army in Manipur	5847-48
2892	Delhi University B.A. Examinations	5848-49
2893	1960-Strike	5849
2894	Foreign privateinvestments	5850
2895	Expenditure on uplift of S.C. and S.T.	5850
2896	Law Commission Report	5851
2897	Pay scales of Police Force of Andaman and Nicobar Islands	5858
2898	Manufacture of Tractors	5852
2899	Judgesin Maharashtra High Court	5852
2900	Promotionsin Armed Forces Headquarters.	5852-53
2901	U.P.S.C. typing test for A.F.H.Q. employees	5853
2902	Census Department at Muzaffarpur	5853-54
2903	Promotion of Class IV employees to Class III	5854-56
2904	Ram Roop Vidya Mandir Higher Secondary School, Kamla Nagar, Delhi	5855-56
2905	Electricityin Delhi Cantt.	5856-57
2906	Cantonment Fund quarters	5857-58
2907	Monument at Akbarpur, Kanpur district	5858-59
2908	Temples at Bageshwar (U.P.)	5859
2909	Text books of Delhi schools	5859-60
2910	Text books in Delhi schools	5860
2911	Scheduled Tribes in Orissa	5861

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE . 5861—63

Shri Tyagi called the attention of the Minister of Home Affairs to the warrants of arrest reported to have been issued under Section 186 I.P.C. against Master Tara Singh and Yogiraj Suryadev and the Government's policy regarding the entry of police into the places of worship.

The Minister of Home Afairs (Shri Lal Bahadur Shastri) made a statement in regard thereto.

PAPERS LAID ON THE TABLE 5863-64

1) A copy of Notification No. 140/12/60-M(v) published in the Manipur Gazettee dated the 31st May, 1961, containing the Manipur Land Revenue and Land Reforms Rules, 1961, under section 169 of teh Manipur Land Revenue and Land Reforms Act, 1960.

(2) A copy of the Reserve and Auxiliary Air Forces Act (Amendment) Rules, 1961, published in Notification No. S.R.O. 178 dated the 17th June, 1961, under sub-section (4) of Section 34 of the Reserve and Auxiliary Air Forces Act, 1952.

(3) A copy of Notification No. G. S. R. 1037 dated the 19th August, 1961 under sub-section (4) of section 43B of the See Customs Act, 1878 .

(4) A copy each of the following Notifications under Sub-section (4) of section 43B of the sea Customs Act, 1878 and section 38 of the Central Excises and Salt Act, 1944, making certain further amendments to the Customs and Central Excise Duties Export Drawback (General) Rules, 1960:

(*a*) G.S.R. No. 1038 dated the 19th August, 1961.

(*b*) G.S.R. No. 1039 dated the 19th August, 1961.

REPORT OF COMMITTEE ON PRIVATE MEMBER'S BILLS AND RESOLUTIONS PRESENTED 5864

Eighty- eighth Report was presented.

COLUMNS

RESIGNATION OF MEMBER 5864

The Speaker informed Lok Sabha that Shri Muhammed Khuda Bukhsh had resigned his seat in Lok Sabha with effect from the 25th August, 1961.

DEMANDS FOR SUPPLEMENTARY GRANTS (GENERAL), 1961-62 . . 5865—83

Further discussion on Demands for Supplementary Grants in respect of Budget (General) for 1961-62 concluded and the Demands were voted in full. .

BILL UNDER CONSIDERATION . . . . 5883—5991

The Minister of State in the Ministry of Home Affairs (Shri Datar) moved that the Indian Penal Code (Amendment) Bill be taken into consideration. An amendment by Shri Vajpayee for circulation of the Bill for the purpose of eliciting opinion thereon was also moved. The discussion was not concluded.

COLUMNS

MOTIONS *RE.* FLOOD SITUATION . . . 5992—6005

Discussion on the motions re. Flood situation in the country moved on 28-8-61 by Sarvashri Goray and Chintamoni Panigrahi respectively was resumed. The Minister of Irrigation and Power (Hafiz Mohammed Ibrahim) replied to the debate and the discussion concluded.

AGENDA FOR THURSDAY, AUGUST 31, 1961/BHADRA 9, 1883 (SAKA)

Further consideration of the Indian Penal Code (Amendment) Bill and passing of the Bill and also consideration and passing of (i) the Newspaper (Price and Page) Continuance Bill and (ii) the Representation of the People (Amendment) Bill. Discussion *re.* Report of Second Enquiry on Agricultural Labour in India.

GMGIPND—LS II—1068 (Ai) LS—12-9-61—885.